but prohibited by

CHRIST:

Being an

ANSWER

TO

A. SMALLWOOD, D.D.

TO HIS

Book lately published, being a Sermon Preached at *Carlile*, 1664. wherein he hath laboured to prove, Swearing lawful among Christians; his Reasons and Arguments are weighed and answered, and the Doctrine of Christ vindicated against the Conceptions and Interpretations of Men, who would make it void.

By a Sufferer for Christ and his Doctrine, *F. H.*

Because of Oaths the Land mourneth, Jer. 23. 10, 11, 12, &c.

By Swearing and lying, and killing, and stealing, and committing Adultry, they break out, and blood toucheth blood, therefore shall the Land mourn, and every one that dwelleth therein shall languish, Hosea 4. 2, 3.

Printed in the Year 1666.

This is for Richd Latey
Geuen him p R Hawkins
And Nowin 1730 Geuen Richd Grant Jun

To the Reader.

READER,

TRuth never had that advantage nor countenance from the men of this world, (though wise in their generation) (since sin entered into it) to have the approbation of the World, neither of the powers and Potentates thereof, for it always hated the truth, because it bore witness against the world, and the deeds and works thereof which are evil; for Wisdom is only justified of her Children, *and Truth is justified of her Children: neither indeed doth it need any other Patron to shelter it self under, but the God of all Truth, from whence it proceeds; neither shall I seek a shelter, neither run to any mountain or hill for safety or protection, nor to the mighty of the Earth, as many of latter dayes have done to Patronize their Labours, and to make them the more acceptable, and to be the sooner and more readily received: But seeing the Apostle saith,* Not many wise, not many rich, not many noble are chosen, but he hath chosen the weak and poor, and despised of the world, who are rich in Faith and good works, who are heirs of the promise, and of the world to come. *I desire only to be approved to the witness of Christs light in every mans Conscience, and to the measure of his holy Spirit which he hath placed in every man, to that only I desire to be either approved, or by it reproved, for wholly unto the judgement of that in every Conscience I appeal, and do commend this ensuing Discourse, in the sight of God, and the Answer unto* A. Smalwood's *Book, who hath sought to make void Christs command, for to obey the command of men, as is manifest in his Epistle Dedicatory to the Gentlemen of* Cumberland: *For it seems by his Epistle they put him on work, to Preach and Print this Sermon, whether*

upon this subject or not I shall not determine, but however he sayes he hath obeyed their commands; though he hath laboured as much as in him lies to make the command of Christ void, and the Apostles Doctrine by his Arguments which he hath raised to prove Christs Doctrine one thing, and his intention another, and so would blind the minds of people, only to establish the Doctrines of men, and the Traditions of men in the Apostacy, and hath put divers Constructions upon the plain words of the Scripture and interpretation to prove his false Assertion that he laid down at the first, that Christ did not forbid all swearing; I say I could have willingly have been silent rather then to be found over and over again contending with every new opposer, of those old truths, that have been believ'd and received long before the Apostacy entered in, which hath been answer'd (by that People I own, in judgment and conversation) long ago, to let pass those disadvantages, we have adventured upon; our low persecuted, imprisoned, and in a manner condemned condition, so that we may expect our words, how true soever, yet they are not like to gain much credit against such an eminent man as Doctor Smallwood. Again, considering how we expose our selves to the lash and severity of a sharp law, which some men in their blind zeal are far more ridged and severe in their Prosecution of it then I am apt to believe the supream enactors of it were in their intentions when they did inact it, all which notwithstanding are no discouragement unto me, for as much as the internal and eternal truth of our God, which we have known, received and believed, is very precious in our eyes, yea, far more then either life or liberty, and estate, (which some have forfeited and lost upon Truths account) or any external treasure, or outward enjoyment whatsoever, so that considering how the truth lies at stake we cannot be silent, least thereby we should appear to some mens apprehensions, as to be satisfied with what the Doctor hath said, and own his Arguments & Reasons

that

that he hath laid down for positive truth; I could do no less then to show our dislike of his Doctrine, and to manifest the weakness of his Arguments about this particular of Swearing at all, *under the Gospel, though he hath strained very hard to prove his Assertion, that Oaths may lawfully be taken by Christians in some cases, notwithstanding* Christs prohibition *and command to the contrary, but of how little effect or force his Reasons are thou wilt see in the ensuing Discourse, although his Book be looked upon by some, to be sufficient force to convince all* gain-sayers, *and although he say he hath had divers Papers and Books of Dissenters, who are of a contrary judgment, where he found any* Reason offered *against what he hath laid down for Doctrine, he hath answered, though indeed he hath* over-ridden *the most weighty matters in them, and hath said little but that hath been said before by other oppossers of Christs Doctrine; though its very like the* Doctor *will count this but a loose* Discourse, *as he hath done others of very great weight, (yea indeed of* more weight and reason *in them then any thing, he hath* exhibited, *yet to the contrary) and so count it not worth taking notice of; but though he do not, it is not of much moment, for that end only I have writ, to bear my testimony for Christs Doctrine against all the false and feigned interpretations of men, being that which I have stedfastly believed, and is of that force and weight upon many Consciences, and so evident by the Spirit of Christ, that they can receive nothing of mans faln reason and conceptions which are variable and changable to answer, or weigh down the Doctrine of Christ, and his Apostles, and Primitive Christians, who walked in the order of the Gospel, and obeyed the Commands of Christ before the Apostacy entered in, and the* power was lost, *and the life and Spirit of Christ* erred from) *and mingled the Ordinances of the first and second Covenant together, and the injunctions of men among them for Doctrine, and then compelled all to receive it, all this*

long time of Antichrists reign, *and the false* Church visibility, *wherein she hath sitten as a* Queen *upon the Waters, which are the* Nations, Kindreds, Tongues and People, *which* A. S. *brings as a great argument to prove Swearing in use among Christians since Christ gave out that command,* Swear not at all. *The reasons the very strength of them, I have laid down as* A. S. *hath published them, without varying from his own words; the Answer thou may peruse and read without prejudice, and weigh with the measure of Gods Spirit in thy self, for unto that I appeal, which is a more certain thing then* Councils, *or* Nations, *or* Consent *of* multitudes, *who hath the name of Christian, and walks not in his Doctrine, neither loves his life, nor doth the things he saith, I am shut up in a corner, and have not that advantage that some oppofers have of others labours, as to bring Authors of divers Ages that denied to Swear, though not only some there were but many; but alas, they are condemned already by* A. S. *and others for* Phanaticks *and* Heteradox, *and so their sayings, will seem of less force, but however, I have not much striven, neither shall to fetch things from far in the Apostacy, but rest in that which makes all things evident, even the spirit of God in thy own heart and the Scriptures of Truth, which was spoken by the Spirit, which are so clear unto many, that there needs not multitude of words, to demonstrate this truth of the prohibition of all Oaths among true Christians, but I shall not detain thee from the matter it self, and the Lord give thee an understanding.*

F. H.

Oaths

Oathes no Gospel Ordinance, but prohibited by Christ.

THere being a Book lately published by *A. Smalwood. D. D.* as I understand Doctor of Divinity; first preached in a Sermon at *Carlile*, I suppose before the Judges at the Assizes then holden the *17th.* day of *August*, 1664. since which I perceive many Additions, by reasons and paraphrases are added thereunto, and printed at *Bath*: In which Discourse he hath vindicated the lawfulness of Swearing under the Gospel, and hath gone about to prove it by many reasons, and Authors; how that Christ upon that subject, *Mat.* 5. 34. **Swear not at all**, did not intend an absolute universal prohibition of all manner of swearing under the Gospel; which Book of his I have perused with an upright heart, and an impartial eye, seriously, to the end I might own that which is good in it, not as one being glued to an opinion or judgment; but what as carries demonstration of truth with it upon my conscience and in my heart; it being a principle well known and believed amongst us, to have our consciences void of offence towards God, and towards Man: and seeing my self and many more are great sufferers at this day upon this very account, which I look upon, being truly and conscientiously grounded upon the *Doctrine of Christ*, and consonant to the *Primitive Christians*, and seeing so large things have been written by other hands in asserting the truth of what we have believed, which yet stands as a witness unto the Doctrine of Christ; notwithstanding all opposition and gain-saying, that it hath had by many hands; I could have been wholly silent, and have refered all that have been said to the judgment of the Lord, and to that of God in every Mans conscience; but that I perceive *A. Smalwood.* hath rendred that People which I own in judgment, and practise, to be in error, and hath greatly gain-sayed and villified all such as ever did or do deny *Swearing* upon never so conscientious accounts, as

erroneous.

erroneous, and as only ſprung from the *Pelagian* Hereſie and *Manachem*, and I know not who, and have rendred all with reproach and diſdain, as *Phanaticks* who diſcent from him, with diſdainful, and reproachful names, to repreſent us as odious as may be to the Magiſtrate, and at ſuch a time as this, when tender and conſcientious people, who fear the Lord in their hearts, (and deſires to live and be at peace, and ſeeks it with all Men) are ſufferers, and great ſufferers too; upon this very account, whereby many are ſtired up to more perſecution and wrath againſt us: and beſides this Diſcourſe it ſeemes is cryed up, as the moſt exquiſite that ever was, or can be; and as unanſwerable, and that we who deny to ſwear, would aboliſh all judicable proceedings, and make them nothing; this Diſcourſe is printed, as *A. S.* in his 12. pagé ſayes, to induce us to forſake ſo irrational an opinion, and to convince us of our error; and it ſeemes he himſelf, beſides many other expects it muſt effect ſome great matter.

Reply. I ſay all theſe things being conſidered, was a ſtrong inducement to me, to write ſomething in reply thereunto, though in very deed I love not contention, neither ſtrife about words, but ſeeing it is the Doctrine of Chriſt, and that which hath been, and is ſtedfaſtly believed by divers faithful Profeſſors, and ſufferers both formerly and now, however by *A. Smalwood* accounted and reproached by that diſdainful name of *Phanaticks*; a word lately invented in the Pit of Darkneſs, where many of thoſe and the like reproaches come from; I was engaged in my heart, to bear my teſtimony againſt this ſaid Book, and for the truth of Chriſts Doctrine; not out of *obſtinacy* and *wilfulneſs*, but in duty as by conſcience to God and his truth; which is dearer to me then my outward liberty or all I have to looſe for it, which I and many more at this day chooſe rather to ſuffer, then to be found violating the commands of Chriſt, or deny that which I have ſtedfaſtly believed; being perſwaded thereunto by the ſpirit of the Lord, and evidence of the Scripture of truth.

The ſubject *A. Smalwood* hath taken to treat upon, and in the end to gain-ſay, and pervert; are no leſs then Chriſts own Doctrine, *Mat* 5. 34. **But I ſay unto you ſwear not at all**: who would have believed or thought that one who accounts himſelf a Doctor, a Divine, and a Miniſter of Chriſt, ſhould chooſe *Chriſts* own words to plead againſt *Chriſt*, and them that do abide in his

Doctrine?

Doctrine? or that ever any ſhould go about to prove ſwearing lawful from theſe words in Goſpel times, or that ſwearing is not forbiden; but what would not this Man encounter with? or what would not he oppoſe? if he have but the power of this World on his ſide? it is a ſmall thing to gain-ſay *what we ſay*, and pervert our words, and make them ſeem erroneous, and to make our intentions one thing, and our words another; when he is ſo bold as to make Chriſts Doctrine, his expreſs words **Swear not at all**, and his *intentions* contrary to his words, what do we judg of a Man that ſpeaks one thing, and intends another? it's fearful to think what concluſions ſome will make to carry on their intended deſignes, but me thinks *A. S.* might have been more conſiderate then to have taken Chriſts own *Doctrine* and words, to oppoſe Chriſts *intention*, or to be ſo bold as to aſſert the *intention* of Chriſt was otherwiſe then his words *import*; but rather have choſen ſome other ſubject; but what matter makes many of ſubjects, for with a conſequence or two, and a little Logick, they will ſeem to turn things any way, and go about to prove *darkneſs is light, and light is darkneſs*, and what as in them lyes make it ſo to appear if they take a matter in hand; and therefore the Apoſtle exhorted *to beware of Philoſophy and vain deceit*, for by this Men have been cuning and crafty, *and lie in wait to deceive the Innocent and harmleſs and to lead them out of the way.*

In the fourth page he ſaith, he will clear his intention, and that there are two ſorts of Men that do violence to this Text; the one winds it up too too high a note, as though Chriſt had forbidden all Swearing whatſoever. And in the tenth page he ſaith, this error is masked under a fair colour of a more then ordinary piety, but tends to overthrow all *Judicatures*, and takes away the deciſion of all emergent ſuites and controverſies; and were it granted ſaith *A. Smallwood*, we ſhould be neceſſitated if not to diſown the Magiſtrates authority, yet to diſobey their loyal command, as having a countermand from Chriſt, *Swear not at all*, and the other ſort of men are ſuch who in deſpight of this text do commonly, raſhly, prophanely and falſely ſwear.

Anſw. Who doth the greater violence to this Scripture? whether *A. S.* who in his Doctrine he hath raiſed from theſe words to be the foundation of his Diſcourſe, who makes Chriſts plain and expreſs words one thing, and his intentions another: I leave to

all unbyaſſed ſpirits to judge off, or they that ſay, Chriſt intended what he ſpoke, and ſpoke what he intended, I ſay let all ſee and conſider where the violence lies, and in whom, and whether he doth not wind it up *by that not*, or *contrary to it*, to uſe his own words otherwiſe then Chriſt intends it, as after will be made more evidently to appear, and we ſay its not error but truth to believe Chriſts words, who are truth, more then *A. S.* his conjectural ſuppoſition, neither do we believe it, to be error masked, but truth revealed, and Chriſt ſpoke and declared it, that we might beleive it and obey it: And we believe that *A. S.* and many more hath put a *maſk* and a *vail* upon Chriſts words, and would *hoodwink* all, and lead them blindfold after their imaginations, and crooked pathes, winding and turning this way and that way that leads into darkneſs and trouble, and confuſion, from the path of life: And what doth Chriſts command? *viz. Swear not at all*; doth it overthrow all Juſtice and Judicatories? It is not the ſeat of Judgment eſtabliſhed in Righteouſneſs and truth? and they that ſit in Judgment ought they not to give ſentence and Judgment in Righteouſneſs and truth, and as the cauſes are repreſented unto them, and brought before them, and may not every truth be confirmed but of the mouth of two or three * Witneſſes, and all emergent ſuits and controverſies ended according to the beſt evidence after diligent inquiſition and judgment given accordingly, and that without the needleſs and cumberſome formality of an Oath, * which is ſometime this, and ſometime that, and changable, when as every true confeſſion and teſtimony is equivalent thereunto, in the preſence of the God of all truth, and who ever denyed this? And there is no neceſſity ſo to judge that he that fears to ſwear, and take an Oath, yet refuſeth not to give true teſtimony about any matter, whether it do concern the Lord or his Neighbour, that therefore he denies the Magiſtrates authority, or yet diſobeyes their legal commands? ſo that though all Swearing ſhould be denyed, yet that which anſwers the cauſe in hand is not denyed, true teſtimony; and therefore the Magiſtrates authority and their lawful commands may well ſtand and be obeyed, and right done unto every man, and Chriſts

* Without an oath as under the Law in divers Cauſes, where no Oath is mentioned but Witneſſes, Deut. 19. 15.

* Deut. 19. 6. In caſe of life & death, no Oath was uſed we read of

command ſtand alſo, theſe are but the ſecret ſmitings and ſuggeſtions of *A. Smalwood* to render them odious to the Magiſtrates and all people, who diſſent from him in judgment: And indeed ſuch like Diſcourſes and inſtigations from ſuch like mouths and pens as his is, who is accounted learned and eminent, hath not a little added afflictions unto our bonds, and they have made wide the wound, and hath made the breach ſeem greater then it is, and the matter more grievous then there hath been any cauſe for, I deſire they may conſider of it and repent.

And in 13. page, from this Text, (*Mat.* 5. 34. *But I ſay unto you Swear not at all*; he layes down this Propoſition or Doctrine, *viz. Our Saviour did not intend by theſe words, Swear not at all, an abſolute, univerſal and limited prohibition of all manner of ſwearing, and goes on to prove it by divers Reaſons.*

The firſt he gives is, That the Father and the Son are one in nature, power, wiſdom, immutability, and eternity, and one, in will and wiſdom, therefore they cannot give forth contrary commands, but God the Father hath commanded Swearing, in theſe words, *Thou ſhalt fear the Lord and ſwear by his Name and ſerve him, Deut. 6.* 13. And therefore it is not poſſible that God the Son ſhould forbid it.

Anſw. Though the Father and the Son be one in nature, power and wiſdom, and immutability, and will, as in themſelves, and alters not, but keeps *Covenant* from age to age, and from generation to generation, there is no contrarity in them, *yet there are diverſities of gifts but the ſame ſpirit, and there are differences of adminiſtrations but the ſame Lord.* It is granted that after ſin entred into the World, and death by ſin and diffidence, and unbelief, variance and ſtrife, and many tranſgreſſions, for which *the Law* was added; and becauſe of which *the Law was added*, and the command given forth unto the *Jewes* to ſwear by the Name of God, as *Jerome* ſaith upon the 5. of *Mat.* 3. 37. *It was permitted the Jewes under the Law*, as being tender and infants, (and to keep *them from Idolatry*, which the reſt of the Nations did run into) *they might ſwear by the Name of God, not that it was rightful ſo to do but that it was better to ſwear by the Lord then by falſe Gods or devils:* but the great Evangelical ſincerity and truth admits not of an Oath.

Secondly, For the ending of ſtrife and variance being in the

 unbelief,

unbelief, which was the occasion of the adding of the Law, and the cause of the command given forth, *Deut.* 6. 13. with divers more words specified by *Moses* and the *Prophets*: And though Christ came not to destroy the Law but to fulfill it, and to *destroy* that which the *Law was against*, (and which it took hold upon) and *to finish sin* and transgression, and bring in everlasting Righteousnes, and to restore to the beginning; and we say according as we have believed and received of the Lord, and have a cloud of Witnesses, both them that are gone before, and of them that yet remain alive: As Christ said of *Divorcement*, It was not so from *the beginning*; so we say, *Oaths* was not from the *beginning*, but was added after hardnes of heart and sin, and unbelief, entered into the World; but *Christ who was made under the Law and fulfilled the Law*, put an end to the *transgression*, *sin*, *unbelief*, *variance*, *and strife*, in whom all the promises of God are fulfilled, he is the Righteousnes of God, and who are true Christians indeed are come out of unbelief, variance, and *transgression*, and doth see and know Christ to be the end of the Law, for *Righteousnes to them that believe*, who exhorted to do the truth, confess the truth, and speak the truth, who said, *Swear not at all by Heaven*, and which after more shall be said God willing to the Text it self: And so *A. Smallwood* his reason is made void, and his impossibility made possible, that God gave forth a command, and permitted the *Jews* to swear in that Covenant and Ministration, and yet Christ in the new Covenant countermands it as in the Text, being the Minister of a better Covenant which stood upon better promises, who leads to the beginning, and is the restorer of all Mankind that do believe; and yet the Father and the Son are one in will, wisdom and power. And though *A. S.* and others cannot understand, or else hath no mind in that Latitude as generally prohibitive of all swearing; because he says, God did require it, no less then he did his own *Worship and service* in the Moral Law; these nice distinctions of Moral, Judicial and Ceremonial hath confounded Peoples understandings, though it is still acknowledged they did vow, and did swear in the first Covenant under the Law; but whether he or any other making, swearing, moral, judicial or ceremonial is not much matter, seeing that Christ the Righteousnes is the summe and substance of all, and the end of the Law for Righteousnes to them that do believe, & in him is life and Righteousnes

enjoyed

enjoyed; for the Law was given by *Moſes*, but the *Grace*, the *Truth cometh by Jeſus Chriſt*, who is the ſumme of all *types* and *ſhadowes*, and therefore the Apoſtle ſaid, *We are circumciſed in him, and baptiſed in him*; and we do look upon an Oath under the Law to have ſome type and figure in it, notwithſtanding *A. S.* ſay it was none, and that Chriſt is improperly called the Oath of God, no more *improper* then he is a *Vine*, a *Door*, a *Way*, a *Shepherd*; * for all the Promiſes are fulfilled in Him, and are yea, and amen: And as for the morality of it ſo far as it is Moral and perpetual to all under the Goſpel, is in *confeſſion of truth, and bearing witneſs thereunto* as before the Lord, or in his preſence, and ſpeaking the truth when there is neceſſity, as when any mans perſon or Eſtate, or any part thereof is in danger, and this we have ever owned, and do own, and have, and are ready to teſtifie the truth before the Lord, or in his preſence as concerning any matter which concernes the Glory of God, or the good of our Neighbour without being pinched or bound up to a certain form of words impoſed upon us, but according as neceſſity requires, ſo amply and largely as our words may give knowledge and underſtanding and light in any matter which is to be defired, but this hath been denyed, and hath not been received by this unbelieving generation, who ſeeks rather to eſtabliſh the Traditions and Cuſtomes of Men, rather then the Evangelical Doctrine of the Goſpel.

* For he is called Gods Covenant, Iſa. 55. 3 and GOD'S Covenant is his oath which he ſware, Luk. 1. 72, 73.

And though *Doctor Smallwood* will needs have it, viz. *ſwearing*, neither to be *ceremonial* nor *judicial*, but for any proof he brings for ought I ſee it may be either as well as that he calls *moral*, for ſure I am that *Oathes* was uſed * in *judicial* proceedings, and *Ceremonies* were uſed in the worſhip of God and his ſervice then, and by Commandement; and the ſervice of God, and his worſhip, I hope he will ſay is moral; yet ſo as under the Law, it was not without ceremony, and it is concluded by the moſt learned that there was ſome ceremony, or figure, or ſigne in that Covenant, in all the worſhip, and ſome ſhadowes of good things to come, (then if ſwearing was any part of the worſhip of God) as the moſt do grant, and aſſert, and I think *A. S.* will hardly deny, then I argue

* Deutrono. 19. 16. Exod. 20. 10.

it had ſome Ceremony or ſhadow in it: but oh this *A. S.* cannot away with in this point of ſwearing, but it muſt needs be all moral for fear he ſhould waken his matter that he hath taken in hand to war againſt Chriſts command; but it is evident that ſwearing was uſed in *judicial proceedings*, as is manifeſt, *Deutr.* 19. 5. *about killing of a Man accedentally*, and the 11. verſe, *about murther*, and the 14. verſe *about Land-markes*, and in the 21. *life for life, eye for eye, tooth for tooth, hand for hand, and foot for foot*, about all theſe things and many more, and in the 16. verſe *about a falſe witneſs* (were to be decided and tryed by witneſſes before the Judges) and judgment was to be given according to the ſeveral commands about the aforeſaid different tranſgreſſions, all which Statutes belonged to their judicial proceedings, as this about ſwearing, and as is manifeſt in this Chapter; and all of theſe commands ſeemes to have as much morality in them, as ſwearing hath in the judgment of many, unto whoſe judgment I leave what I ſay, to be weighed by the ſpirit of God in them.

Thirdly, The Law ſayed many things by way of precept and commiſſion (at leaſt *permiſſion* from God, which would be *irregularities* groſly reproveable in Mens *manners in moral matters, converſations, civil tranſactions, and communications*, ſhould they be uſed among them who profeſs the Goſpel, the Law ſaid an eye for an eye, tooth for tooth, hand for hand, foot for foot; the Goſpel ſaith *avenge not your ſelves, reſiſt not evil*, ſuffer wrong, put up, *forgive, forbear*, The Law ſaid, *thou ſhalt love thy neighbour, and hate thy enemy*; But *A. S.* will look upon this as an addition or falſe interpretation to the Law it may be, but how ever certain it is that under the Law they made war, the *Jewes* with *Amaleck* with *Moab*, with *Ammon*, and the *Canaanites*, and the *Ægiptians* might be ſpoyled, but the Goſpel ſaid only *love your enemies, if he be hungry feed him, if he be thirſty give him to drink*, and for any thing I can ſee the aforeſaid *commands were as morall, and had as much morality in them as ſwearing*, what ever *A. S.* ſay or can ſay: In the 7th. Section *A. S.* ſayes if any argue that Chriſt aboliſhed the Ceremonial and Judicial Lawes once commanded by God, he ſayes he denyes that aſſertion, for we were never under the Judicial Law, it being ſolely given to the *Jewes* for the regulating their Common-wealth in the Land of *Canaan*, *Deutro.* 4. 14. and they were never obligatory to us that are no *Jewes*, nor never dwelt

dwelt in *Canaan*, and as for the Ceremonial it was meerly temporary, and ceased at our Saviours death, and was not abrogated, but observed by him in his life, neither can it properly be said to be repealed.

Reply. Though I do not argue that Christ abolished the Ceremonial and Judicial Laws once commanded, nor abrogated them: yet Bishop *Ganden* doth, who attain'd, if not to a degree of knowledge and learning, yet to a degree of promotion above *A. S.* in his Book which he wrote for the information of the *Quakers* about swearing, he saith in his own words, *Christ came to fulfill the Moral Law, however he came in a way of fulfilling to abrogate the Ceremonial, yea and the Politick Lawes too*, belonging to the *Jewes* policy in Church and State; and herein is the Bishop and the Doctor at odds, the Bishop said, he abrogated the Ceremonial Law, and Judicial Law too, belonging to the *Iewes* Policy and State: But Doctor *Smallwood* says, he denies his Assertion; for says he, We were never under the Judicial Law, and what was never imposed need not be abolished: So then what remains for me to say but this, If Swearing was any part of the *Judicial Law*, or did belong to their *Political Estate*, as it is the judgment of many, but it is evident that swearing was used by the witness before *Iudges in Israel* in those days to try out their matters according to commandment given of God, as is evident from 19. *Deut.* in the whole Chapter, and divers other places then by this argument *A. S.* hath made, he hath overthrown himself; for he saith, we are no *Iewes*, nor in *Canaan*, and so never imposed; and what was never imposed need no abolishing; and it is as I have said, manifest that Oaths had relation to *judicial proceedings*, and to the *service of God too in that Covenant*, which was shadowy, and consisted much in outward signes and figures, but the substance is Christ. So then instead of proving swearing under the Gospel lawful, he hath by his argument proved it never injoyned unto the *Gentiles*, neither indeed was it, either ever commanded or commended unto the Gentiles who believed, or they reproved for not observing it that ever we read of by Christ or his Apostles, or Ministers in the first and purest times of Christianity, *for to* Jacob *he gave his Law, and to* Israel *his Statutes; to every Nation he did not so*, no not to *Moab*, *Ammon*, nor the *Canaanites*, neither the *Gentiles*; and though he seem to plead hard for swearing under the Gospel; yet he falls

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ſhort in his proof, except he took his own reaſons and arguments which divers of them are but imaginary, & in the foundation of his diſcourſe he hath taken ſuch great compaſs, as there is not an *univerſal, unlimited prohibition of all manner* of *Swearing*; but what this manner of ſwaring is, it is very uncertain, ſometimes he makes it this, and ſometimes that, ſometimes he ſaith it is no Oath, though in the form thereof there be not I ſwear, or God be not named, or *by God* doth not always ſignifie an Oath; and other where he ſeems to affirm it to be an Oath, but when an impartial eye hath ſounded and tryed to the bottom what this ſwearing is that brings ſo much glory to God, and ſo much good to our Neighbour, that he ſo vehemently contends for that ought to be obſerved as well as Gods *fear* and *ſervice*, (it is but their own traditions and inventions, for that under the Law will not ſerve (as the Lord lives) or that he calls ſwearing under the Goſpel will not ſerve, (the Lord is witneſs) *or I ſpeak the truth in Chriſt*; or this is truth in the preſence of God, or the like, none of theſe will ſerve: But though he and the Rulers do ſay they are Oaths, yet when at any time we have proffered willingly to declare the truth in this or that particular cauſe, or to make as ample confeſſion in demonſtration for clearing any cauſe in debate, that hath either conduced to the glory of God, or the good and profit of any particular Man in the Nation among whom we converſe, and not without ſome atteſtation of God, or of his wiſdom, power, and preſence, yet it would never yet be received but reckoned as inſufficient, though both the Rulers of this age, and *A. S.* have ſayed it, it might be that in private it might, but in Judicature never was received, though I do believe the moſt doth believe we dare not lie in ordinary communication, much leſs in Judicature, yet we have been ſet aſide as objects of wrath, as deluded *erronious, factious, ſeditious, contemners* of Law, *obſtructors* of *legal proceedings*, except we would lay our hand upon a Bible and kiſs it, and ſay, I ſwear, and by the Contents of the Book, and ſo help me God, or elſe fined, impriſoned for term of life, our Lands and Goods confiſcated, and we ſentenced to be baniſhed, our Wives and Children ruinated, Husband and Wife parted, Children and Parents ſeparated, and ſuch *monſters of Chriſtians* have we to deal withal in this age, and how many brought into this ſad condition in *England*, as little *A. S.* knows as cares: But for ought I know that he and ſuch as he, in

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ſuch publick diſcourſes as this of his hath blown the ſparks and hath kindled a flame in the Rulers, and incenſed them, and ſtirred them up to ſeverity and harſhneſs againſt them who fear the Lord, and doth maintain peace with all Men as much as in them lyeth, and keeps their Conſciences void of offence towards God, which makes us to chuſe rather all this hardſhip then to offend the Lord, who ſerve and fear his Name, and reverence it more then they who ſeem to honour it, and pretends Gods honour thorow their ſwearing. But to make amends for this, *A. S.* he ſaith, the Magiſtrates muſt act by the Law, and that enjoynes ſuch a forme of ſwearing and they cannot allow it.

Unto that I anſwer, it had been a more neceſſary diſcourſe for *A. S.* to have exhorted the Magiſtrates, if the Law had been anſwered in the ſubſtance, not to be ſo ſevere in the forme, and alſo to have told them where any Law was made contrary to the Law of God, either in matter or forme: The Conſciences of believers could not yield obedience thereunto, when it was repugnant unto the Law of God, and not according to the forme thereof, and in ſuch caſes to be wary, and he and the reſt of the Clergy to have adviſed with the Rulers and Law-makers, and to have informed them from whom they receive ſuch great incomes, and revenues, (for the preſervation and peace of all Men) that they need not ſtand ſo much upon the forme, ſeeing that ſo many conſcientious people queſtioned it, ſo that there needed not ſuch tying up to forme, under ſuch great and heavy penalties, as baniſhment, confiſcation, and perpetual impriſonment, but have informed them ſo that the truth might have been found out, and no *judicial proceedings hindered*, which I am ſure may be without any ſwearing, *true teſtimony never being denyed*, when required by any Magiſtrate, and let but a penalty be upon him that gives *falſe evidence*, or *ſpeakes an untruth* about any proceedings in *judicature*, or otherwiſe called to bear evidence in any controverſie, if found out, let them ſuffer as them that *ſweares falſely*, and as *perjured*, and the caſe is one, and here all ſcruples, and contentions about ſwearing would end, and there would not be the leaſt obſtruction in *legal proceedings*, or in *adminiſtration of juſtice*, and let me tell *Doctor Smallwood*, and the reſt of his Brethren, that if they would move ſuch a thing in *Parliament*, peradventure it would be readily received from them, and in ſo doing, they would do as acceptable

a piece of ſervice, and as well pleaſing to God, and would conduce as much to the peace and tranquility of the Nation, as any thing that ever they will do in their age, or hath been effected many ages, and ſo all theſe heart-burnings, contentions, and evil ſurmiſings, and evil repreſenting one another would ceaſe and end, and which if not effected, nothing can be looked for but ſad ſuffering, and great oppreſſion and perſecution, which will provoke the Lord to anger, and ever did againſt all them that were the cauſe of it in ages paſt, but I come to his ſecond Argument.

Second Argument. Some without any colour, reaſon or poſſibility of proof, will need have ſwearing a Ceremonial write, but God ranks it with his fear and ſervice, therefore it muſt needs be moral, and therefore what at all times, as well under the Goſpel as under the Law, as well amongſt the *Gentiles* as the *Jewes*, tends to the glory of God, that is not a *Ceremonial Ordinance*, nor forbiden by Chriſt, but ſuch is ſwearing, and therefore it cannot be thought to be prohibited.

Reply to this. It hath been ſaid and often aſſerted that all the ten words and Commandements were moral and perpetual, as well under the Goſpel as under the Law; then I wonder what *A. S.* and divers others intends to do with the fourth Commandment, if it be moral and perpetual and to be obſerved, in the ſame manner and with the ſame ſervice, as then commanded, and the ſame day and time, then he and moſt of them who contend moſt for the morality of theſe ten Commandments, are great tranſgreſſors, and if he grant there was ſomething Ceremonial in it, and typical or figurative, which then was the *ſeventh day*, which was given for a ſigne, (of the *Worlds reſt from its labour*) and of keeping after it an *everlaſting Sabbath* to the Lord, by Mans *ceſſation* from his own works, as God did from his, *Iſai.* 58. and the laſt *Heb.* 4. which *Iewiſh* obſervation of the ſeventh day as a Sabbath now, though never ſo ſolemnly, as then commanded, will have no acceptation at all, no more then he, and he as much (that is none at all) that never ſo ſolemnly *ſwears* by the name of God, in ſuch ceremonious ways as the *Iewes* did of old, (or goes beyond the bare aſſeveration or teſtimony of truth, with ſome atteſtation of Gods power and veracity which hath never been denyed) which to do, we do not only think but know it to be a

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ſuperfluous Ceremony of Judaiſm) not to ſay brat of *Jewiſh* extraction as *A. S.* doth) now circumciſed and cut off from Chriſtians by Chriſt, and what though God did, *Deutr.* 10. 20. rank it with his fear and ſervice, was there any ſervice or worſhip in that Covenant, that had not ſome ſigne and ſhadow in it, and was Ceremonial, and was to end in the ſubſtance, was there not prayer, and prayſing, and were not theſe ſervice and worſhip, and had theſe not the Ceremony of Incenſe and Sacrifice, which then attended theſe Services, but the ſubſtance was lifting up of the heart unto the Lord, and making a melody in the heart, and circumciſion is now that of the heart, *Rom.* 2. which was outward before, *the killing of a Lamb* at the Paſſeover was an Ordinance in that Covenant, the ſubſtance thereof is *Chriſt*, the *Paſſeover*; the other now under the Goſpel would be no more then cutting of a *Dogs neck*, theſe were all Ordinances of God to be obſerved, and in their time and day, and they that did according to the command of God, tended to the glory of God, in that firſt Covenant, but in the ſecond under the Goſpel, whoſoever ſhould obſerve them, in the Figure, Ceremony, and ſhadow ſhould much diſhonour God and his Chriſt the ſubſtance, and Chriſt would profit him nothing, ſee that Ceremony of ſwearing, the morality that only abides under the Goſpel *is teſtifying the known truth from the heart*, with ſome atteſtation of God to witneſſe, who is witneſs of all we do or ſay, and that no more then *confeſſion* or *deniall*, *by yea or nay* which is no oath, is that ſtanding ſubſtance and the moral, if *A. S.* will have it called ſo that remaines under the Goſpel, which anſwers that ceremonious way of ſwearing under the Law, which is moſt evident by the Apoſtle *Pauls* rendring of that *terme* ſwearing as it was ſpoken in way of propheſie concerning its continuance, then *Iſa.* 45. 23. To me every tongue ſhall ſwear under that *tearm confeſſing* only under the Goſpel, *Rom.* 14. 11. *Every knee ſhall bow, every tongue ſhall confeſs to God*, *confeſſion* under the Goſpel is made equivolent with an oath under the Law, but this rendring of it *A. S.* doth not like, but would pervert *Pauls* words to have it confeſſion, (but put to his own addition) by oath ſo that his Argument is void, ſwearing was binding in that ceremonious way which it was commanded under the Law, but not under the Goſpel, nor among the Chriſtians, who are come to the ſubſtance, and to confeſs and

ſpeak the truth in Chriſt to the glory of God acknowledging his power and *omniſciency*, and his *juſtice* in diſcerning whether truth be ſpoken, and in puniſhing them that ſpeak falſely, and his wiſdome in diſcerning the ſecrets of all hearts, and *A. S.* might as well have ſaid that offrings and oblations and ſacrifice tends much to the glory of God under the Goſpel as under the Law as ſwearing, but ſaith he ſwearing is a part of Gods peculiar ſervice, that is incommunicable to any creature, the like I ſay of the former, offring and ſacrifice, and incenſe, was incommunicable to any creature, but was due unto God alone; yet it doth not follow as well under the Goſpel, as under the Law, for that were to ſet up the figure and deny the ſubſtance, ſo this ſecond Argument is inſufficient, and the third is ſomewhat related to it, which I now come unto.

Thirdly. This third Argument is, that if Chriſts purpoſe be utterly to aboliſh all ſwearing as an illegitimate brat of *Jewiſh* extraction, not to be admitted into the Chriſtian Church, then it muſt be either as it is repugnant to our duty to God, or elſe to our neighbour, for into that ſummary he hath contracted the whole Law.

Reply. We muſt ſtill diſtinguiſh that which was once a duty to be performed under the Law, becauſe commanded, is not required as a duty under the Goſpel, and the ſtrength of moſt of *A.S.* his Arguments, and the reſt who contend for ſwearing under the Goſpel, are grounded upon the *Moſaical* Law, though this of oathes he will needs have to be moral; it may be he would contend as much for the morality of Tithes and Oblations, if it had been the ſubject of his diſcourſe, as for oathes, and them to be *jure divino*, under the Goſpel, for many ſuch we have met with, and he might bring the ſame Arguments for Tithes and Oblations, they are not repugnant unto God, but brings glory to his name; becauſe hereby his Miniſters under the Goſpel are maintained, and are enabled thereby to preach the Goſpel for the converſion of ſoules, which addes much to the glory of God, and therefore cannot or are not to be prohibited, but theſe only belonged to the Levitical Prieſthood, and continued only to the time of Reformation, *viz.* to the bringing in of a better hope and a better Covenant, which ſtood upon better promiſes for the Prieſthood being changed, there is alſo of neceſſity a change of the Law,

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Hebr. 6. 12. by which Tithes was a duty, and they robbed God that detained them, *Mal.* 3. 8. But this being ended and fulfilled in Christ the everlasting high Priest, who by one offering perfected for ever them that are sanctified, he did not his Disciples require Tithes as a due, or duty belonging to God, under the Gospel, but freely you have received freely give, and what House soever yee enter into that is worthy there abide, and eat such things as is set before you, for the Workman is worthy of his meat, and this was far more Evangelical, and conduced more to the honour of God, then Tithes, and the Apostles lived more by faith upon God, who provided for them, who was employed in his service, so that I argue what was once a duty under the Law; that was to be performed unto God, is not always a duty among Christians, for though Oathes were commanded unto the *Jewes* in that time of Infancy, and as being weak, and it was permitted them, as *Jerome* saith upon the 5*th. Mat. vers.* 37. to swear by the name of God to keep them from Idolatry, seeing all other Nations were given to Idolatry, and swear by false Gods, as *Chemosh*, *Ashterah*, and *Baal*, he knew their aptness to be led aside with the customes of other Nations, and therefore they were to acknowledge him alone, who was the living God, and no other, and to testifie truth by his Name, as a thing certain and sure, and therefore one of their oathes was, *as the Lord lives*, and this among the rest was one of the precepts of the Law, which was added because of transgression, to swear by his name, which needed not have been added, if sin, and transgression, and unbelief had not entered in, (mark this) and this Law of oathes pertained to that part which was in the transgression, and variance, and strife, and that led to worship Idols, and this continued while that *nature* was *standing*, but *Christ* was revealed and given to finish sin, and *transgression*, and *unbelief*, and to do away that part that *lusted after Idols*, and that led into variance, and he leads out of the occasion of evil, and from that which was the cause of the addition of the Law unto *everlasting righteousness* again, which was in the *begining* before sin entred, and they that come to believe in him are not under the Law, but under grace, moreover the Apostle saith, *Rom.* 7. 14. *The Law hath power over a Man so long as he liveth*, even as a Wife is bound *by the Law of her Husband so long as he liveth*, (and no longer) so as long as Man liveth *in sin, unbelief,*

transgression, *discord*, *variance*, and *strife*, and *Idolatry*, the Law hath power over him to correct and reprove him, and judge him, and was to be a limit unto that nature; but Christ leades out of the occasion of all these, for which the Law was added to do the truth and speak the truth, and ceaseth strife, for which the Law was added.

Again, the Law was added as a cure and a remedy to deside Controversies, and ill distempers, that was entred into the hearts of Men, in the unbelief, and that is one reason which Doctor *Gauden* gives, why solemn swearing should and ought to be in *judicial proceedings* among *Christians*, to take away jealousies, distrusts, dissimulations, frauds, unsatisfactions and insecurities; and quotes *Grotius*, that swearing is necessary, not *absolutely* and *morally*, or *preceptively*, but by way of consequence and *remedy*, as to the state of the *Jewes* we shall not, nor have not denyed it; but as to the state of Christians who are truly such, we say that the cause is taken away and the effect follows, all jealousies, distrusts, dissimulations and strifes, and insecurities, and so the remedies, to wit Oaths ceaseth, and the necessity of them, and that was one main thing why Oaths were permitted to end strife, and strife is a *work* of the *flesh*, and *variance and discord*, and it is inconsistent with true love to our Neighbour to hold that which answers the strife, and that part, for love *fulfills the Law*, *works no ill to the Neighbour*, *ends strife*, and so puts *swearing* the means to end strife, and the remedy out of *place* and *date*. But *A. S.* goes on and tells us that Oaths advisedly and reverently taken upon necessary occasions are so far from displeasing God, or hurting our Neighbour, that on the contrary they are acceptable to the one, and advantagious to the other, for by them *Princes* are secured of their *Subjects Allegiance*, and *Generals* of their *Souldiers* fidelity, Leagues confirmed betwixt Nations, every Man's just right maintained, offenders discovered, and duly punished, and Controversies and Suits desided: and these are such great and good ends that men cannot be in any degree of security or happiness without them.

Reply. To this I answer, that notwithstanding all the great and good ends, and the necessity of Oaths which *A. S.* conceives that Men cannot subsist in any degree of security without, yet we see by experience notwithstanding all the *reverent* taking, and all the *solemn* taking, and the necessity that is put upon *Oaths*, yet they

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have never answered the *end purposed*, for where perfidiousness and unbelief, and distrust, and jealousies, and strifes are, (which is no where so much) as among those that plead for swearing, yet Oaths doth not, nor hath not bound them, when they had a mind to be loos'd, & sees that to stand to such obligations will not be for their profit, or present safety, many instances might be given; what security had the *Pope* when all the *Nobility* and *Clergie* in *England* were bound to maintain his *Supremacy* by *Oaths*? and no doubt but they swore reverently, and it was judged both by the then *Church* and *State* to be binding, and yet notwithstanding all the *Obligation*, all was broken, and the *Popes Supremacy* denyed, in the time of *Hen.* 8. and *Edward 6th.* in their time all swore against the *Popes Supremacy*, either in *Church* or *State*, and how much security was the Nation in when Queen *Mary* came to the Crown, though the *Nobles* and the *Bishops*, and *Prelates* did all swear against the *Supremacy*, yet behold it was brought in again, and confirmed by Oath again; and yet in the days of *Elizabeth* renounced again, and of latter days what Oaths have been exacted, first by one, and then by another, and one party contrary to another, though every party fancyed a security for the time, but it proved of no more effect, neither were they in any degree more secure then if there had been none at all; for indeed that frequent swearing hath made men being got into a custome of it that it is become a light thing unto them, though otherwise they look upon themselves as bound; Generals how have they turn'd one way, and another way, and Souldiers the like; so that one may conclude indeed that Oaths are made no more of but even to stand in force, while (that bears up head and is exalted) that to please the present time and power they seem to be devoutly obliged to it, but if it come under any *eclipse* or *demunition*, then they reckon themselves no longer obliged; so that indeed their Oaths are becom'd of little or no force at all; and for Controversies we see they begin many, and is the cause of much dissention and discord, but ends few; for why may not all these foresaid States and conditions be secured, and as well, and the good and great ends accomplished, that *A. S.* pleads for by true evidence of every one concerned in any of the foresaid relations, by *declaring* and *confessing the truth*, and speaking it unto Men as necessity requires without oath, yea and all the foresaid states have as much *security*, and subsist

sist as well, if not better, then by all this swearing, which more properly belonged to the *Judaism* then to *Christians*, and there is no such necessity of them among Christians if any at all, who dare not *swear* for fear of offending *Christ*, or denying his *Doctrine*, and yet will not lie but speak the truth, and indeed it is the *custome of swearing*, that have been used in the Nations since the *Apostacy* entered in, that is more looked upon then any thing else, more then any *legality*, *necessity*, or *security*, under the Gospel seeing in the Primitive times truly so called, it was enough to say, **Christianus sum**, and that sort of swearing that is imposed now hath no other ground but custome, which *Jer.* 10. 3. is accounted to be vain, neither hath it so much as an inch of ground from the Scripture, and therefore doth not bring so much glory to God as *A. S.* tells on, because what soever is added or superadded to whatever God commanded as to *matter* or *forme* is but *Will-worship* at the best, and a making whatsoever was said or commanded, or practised before, *imperfect*, and no way sufficient, but more of this shall be said after if the Lord permit.

Fourth Argument, Had Christ intended universally to forbid all kind of Oaths in the words, *Swear not at all*, then those amplifications, neither *by Heaven*, nor *by Earth*, neither *by Jerusalem*, neither by the *head*, had been useless as being generally included in the general prohibition, but had he meant that no oath should be used upon any occasion, the subsequent words are so far from giving light to the preceeding that they much obscure them, but had he said no more then swear not at all, it might have been said he disallowed all oaths, but he descending to this or that creature may rationally imply that his purpose was only to forbid such swearing, and not that which was formerly enjoyned, and his conclusion is only creature swearing, or swearing by Creatures is that he would have forbidden.

Answ. Christ knew better what he intended then *A. S.* who would make his words one thing and his intention another; it is evident by the preceeding Doctrine, and by that which follows after the Text, that Christ prohibits all swearing, which shall be further spoken on when the second part of the discourse is spoken of; some stumble *ignorantly*, and some *wilfully*, would pervert, and turn aside from that which they have no mind to receive, and would hold up that which they assert true or false, & that makes all

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this disputing and reasoning about the plain words of Scripture, *Christs words*, But I say unto you, *Swear not at all* by *heaven* or *earth*, is a general *Negative* of all Oaths, even of those which before were used in the time of *Moses*, and by Heaven and Earth, and Jerusalem, are more ample expressions of Christ to make the Scribes and Pharisees understand his mind of his dislike of these Oaths by Creatures that they frequently used, and though these and much more were included in the general Negative, Swear not at all; yet they are not to be excluded as superfluous, neither do they *obscure* the former, *Swear not at all*, but gives more light to the former, to any but them that sees with *A. S.* his eyes, for by *Heaven*, by *Earth*, by *Jerusalem*, are more *ample expressions* of his mind, and a further *explication* of the former, *Swear not at all*; and though they seem to *A. S.* to obscure and darken Christs words, if he did intend all Oaths, yet they that see with another eye then he doth is that they are only more large expressions thereby to make the Pharisees understand, who were in the unbelief, and dull of hearing, that he did not only forbid what the Law had forbid before, but even those Oaths that they frequently used, under those terms and forms which the Law had not spoken of in those words, as *Heaven*, *Earth*, *Jerusalem*, *head* and *foot*, and therefore he *enumerates* them as an *amplification* of his former *prohibition*, and so they are to be joyned, and we shall not stop as *A. S.* says some doth at the words swear not at all, but shall joyne that which Christ hath joyned, viz. *Heaven*, *Earth* and *Jerusalem*, and to be enumerated only and joyned to the *former negative*, and spoken as to their capacities in those ful and large terms that they might understand his mind, that he prohibited not only by *Heaven* and *Earth* and *Jerusalem*, but even any other Oath which the Law had commanded, or the *Jewes* permitted to swear before; and though *A. S.* would have it limited, only to swearing by *Creatures*, which indeed were forbidden under the Law; but Christ who taught a more Evangelical and exact obedience then the Law, he said, It hath been said of old time thou shalt not forswear thy self: *But I say unto you*, (who saith more then the Law hath said) *Swear not at all, but let your yea be yea, and nay, nay, for whatsoever is more cometh of evil.* And of this mind was Br. *Usher*, late of *Armagh*, who pleaded the cause of the *Waldenses*, or *Leonists*, whose names are famous amongst the *Reformed Churches*,

and were the moſt ancient and true *Proteſtants*, if any *Reformation* be looked at beyond *Luther*, they profeſſed it no way lawful for a Chriſtian to ſwear, and the ſaid Biſhop *Uſher de Succeſ. Chap. 6.* doth eſteem that place of the 5*th.* of *Mat. Swear not at all*; and that of 5*th. James* to be a ſufficient plea for them againſt the Papiſts, and he pleads their cauſe; and this made *Reverius* and *Janſenius* ſo much envy the *Waldenſes* two *Romaniſts*, who ſaid amongſt all the Sects which are or have been, there is not any more pernicious to the Church (meaning the Church of *Rome*) then the *Waldenſes*; and that for three Reaſons, firſt, their Antiquity; ſecondly, becauſe of their Univerſality; thirdly, in that they did maintain and hold it no way lawful for a Chriſtian to ſwear on any occaſion.

But it may be that *A. S.* will tell us that theſe and other were condemned in ſome general or Provincial *Council* for *Hereſie*, and if he do it is no great matter, ſince moſt of theſe have erred, eſpecially ſince all Nations have drunk of the *VVhores cup of Fornication*, and have erred from the *faith*, and have loſt the *power*, and then contend for a forme, and bind all to receive it upon ſome *comination* or *malediction*, or other, or elſe they were *Hereticks*; And why who ſaid ſo? the Church hath ſo decreed; and if theſe Canons and ſuch like muſt be binding, *A. S.* will hardly eſcape their cenſure, if he continue in the profeſſion of the faith he is in, though he and they ſeem to agree in this particular, about ſwearing. But I come to his fifth Argument.

Fifth Argument, Chriſt never forbad any thing but what was intrinſecally evil, as may be proved by induction, he forbids *anger*, *abuſive language*, he *forbids luſt*, and *divorce*, and *ſwearing by Creatures*; and therefore what ever he forbad was evil, and that in it ſelf, and not meerly as forbidden, but ſwearing in general is not, for that hath not only been the practice of holy Men, but of Angels, *Dan.* 12.7. *Revel.* 10. 6.

Reply. Was it evil in it ſelf under the Law if a man ſmote out anothers eye, or tooth, or cut off his hand, or his foot, or give one a wound in any part of the body, *Deut.* 21. 24. *Levit.* 1. 24. 20. *Deut.* 19. 11. was it evil in it ſelf for the Judges in thoſe days to give ſentence, that he that had ſtruck out his *Neighbours eye*, or ſtruck out his *tooth*, or cut off his *hand* to pronounce and give the ſame judgment unto the offender that he ſhould be ſo done

done withal, was this eternally evil or intrinſecally evil for the party ſo wronged to ſeek remedy? or was it not an act of juſtice equal and good, not only becauſe enjoyned and commanded, but in it ſelf juſt, and was it or is it an act in it ſelf (intrinſecally evil) if a man ſued a man wrongfully at the Law, and takes a mans coat or garment away to ſeek to defend himſelf, and preſerve his coat or cloak, if not *A. S.* his argument is of no moment; for even in the ſame Chapter, where *envy* and *murther*, and *divorce* ſaving for *fornication*, and *abuſive language*, and all *ſwearing is forbidden*, ſo is that forbidden which is not intrinſecally evil by Chriſt, *Mat.* 5. 39, 40. *But I ſay unto you that you reſiſt not evil; and whoſoever ſhall ſmite the one cheek turn him the other alſo; and if a man ſue thee at the Law, and take away thy coat, let him have thy cloak alſo; and whoſoever ſhall compell thee to go a mile go with him twayn.* And it is in the new Teſtament (I hope) written, *Avenge not your ſelves.* And was it evil in it ſelf, or morally evil to keep the ſeventh day of the week as a Sabbath, or only good becauſe commanded, or was it lawful to fight with *Amalecks*, *Edomites*, *Ægiptians*, and *Canaanites*, becauſe *Iſrael* was only commanded, or becauſe they were real enemies to God in their hearts; or as *Samuel Fiſher* ſaid well in anſwer to Doctor *Gauden*, which *A. S.* quarels with, that *Circumciſion*, *Sacrifices*, and *Offerings*, *Paſſeover*, and *New Moons*, *Faſts* and *Swearing*, was not evil in themſelves but becauſe forbidden; and though *A. S.* give ſuch a great Challenge to *S. F.* to produce one inſtance that any thing was prohibited by Chriſt, but what was intrinſecally evil, or elſe his argument is in vain, I ſay the aforementioned thing prove it, that ſomething was forbidden that was not evil eternally and intrinſecally, but becauſe prohibited, and again in the ſame Chapter, *ver.* 44. *But I ſay unto you love your enemies, bleſs them that curſe you*; though under the Law they did *fight*, and might *fight* with the aforeſaid enemies, the *Canaanites*, and *Gentiles*; but now I ſay, *put up, forgive, love your enemies*, Peter *put up thy Sword*, he that takes hold on it *ſhall periſh by it*; *avenge not, go not to Law one with another*, 1 Cor. 6. 7. *Suffer, forbear*, forgive if thy brother *ſin againſt thee ſeventy times 7. times*. And though *A. S.* ſay that nothing was forbidden by Chriſt, or in all the *new Teſtament* but what was in it ſelf evil, or in ſome reſpect conducing thereunto; methinks he hath given too bold a Challenge; what will he ſay to all the former things mentioned? and

what evil had *Circumcision* in it, or the *Passeover*, or *Sacrificing*, or *New Moons*, and the Sabbath days, or what tendency had they to evil, but rather were good for the end they were ordained, to be signes and types, and figures of holy things to come, like as swearing was among the rest, what ever *A. S.* say or argue; and yet when the substance of the good things was come to them that had believed, and received him who was the summe of all; the Apostle said, *Gal.* 5. 2, 3. *If you be Circumcised Christ profits you nothing*; after he was offered up: And *Gal.* 4. 9, 10, 11. *You observe new Moons, and holy days and Sabbaths*: And these things that were once as *really good* as ever *swearing* was, considering the end wherefore they were enjoyned, and these things was never evil in *themselves*, yet the Apostle reckoned them *beggarly Rudiments*, and told them *they had begun in the Spirit, and now sought to be made perfect through the flesh*; and so stood in doubt of them that his labour had been in vain, and therefore if *A. S.* or any other will needs uphold swearing, because commanded to the *Jewes*, (before the seed Christ was revealed) I say he is *Gal.* 5. 34.) *a debter to the whole Law*; and is as much bound to keep it in all *other points* as this, or else he is a transgressour, and is one of those that would be laying yoaks upon the Disciples necks, unto whom they were never intended, for if the Ceremonies and Rites and outward observations which properly did belong to the *Jewish Church*, and state to observe till the fulness of time, when the partition wall should be broken down, and the *Jewes* and *Gentiles* should be one, and one shepherd and one fold for them both (and no longer) and they were never given to the Gentiles to observe; and therefore, for ought I can perceive many would have the *Gentile Christians*, who never were under the Law, neither the Ordinances of the first Covenant, neither ever given to them, yet *they would compell the Christians to live as do the Jewes*, and to observe their Ordinances; and therefore *are greatly to be blamed*, *Gal.* 2. 13, 14. Therefore we do not look upon any swearing to be *now a duty under the Gospel* among true Christians, *truly such*, as some swearing was once under the Law, but affirme all swearing to be now a *sin*, because forbidden by the positive *law of Christ* under the Gospel, who by his death ended the right of that, and many more legal rites and Rudiments, which who so doth observe now as Christians doth it not without sin, and guilt, and superstition; and

therefore

therefore *S. Fisher* that faithful servant of God (who suffred in bonds til death for his *Testimony* even in this particular) saith well, *That that sort of swearing which was not sin simpliciter in its nature under the Law, is now a sin upon the account of Christs universal prohibition of all swearing*; who was of authority to put to an end, as he did by his death unto the Law: And therefore that sort of service and worship which stood in outward observations, which was a duty because commanded *under the Law*, and *no sin*, in their own nature, neither were *evil in themselves*, nor in any respect conducing thereto, as they were observed, but had some signal good in them once, and yet who *observes them now*, as service of God, *makes Christ* of so little effect to himself, *as that he profits him nothing at all*; I hope *A. S.* will not deny but these things are forbidden in the new Testament, which sometime were not evil in their own nature, but now are evil when the *Substance* is come, in whom they all end; and therefore S. *F.* his argument is not vain but of force: And yet let *A. S.* know that there were many things observed and done not only by the *Jewes*, but by them that believed in Christ, and thought well of him while he was present with them, and yet did not see to the end of these things which were shadows and signes, and *good as once commanded*, and had no evil in them, but were good as commanded, and for the end for which they were ordain'd, which afterwards in the more *full growth* and knowledge in the Mystery of Christianity they came more to be seen thorough, and that was felt in which they all ended; and though Christ came not to destroy the Law, but to fulfill it, and to observe the Ordinances commanded in that Covenant to fulfill that which was written of him, *Psal.* 40. 6. *In the volume of the Book it is written, I am come to do thy will O God.* And further he said himself, *It behoveth us to fulfill all Righteousness*: and that which was commanded, but this was before he was offred up, and was as a midle dispensation betwixt the ending of the *Law and publishing of the Gospel*; yet howbeit Christ knew it, and did speak of it at some time, that those things that had been sometime commanded, *Deut.* 12. 5. and was good as they stood *related* to the *end* wherefore they were *commanded*, instance the *Worship at Jerusalem*, and the service there, and the *place* where God had *promised* to place his name, yet Christ said as foreknowing the end of all, the aforesaid Worship which appertained to

that *Covenant*, and therfore he ſaid to the Woman, *Joh.* 4. 23. *but the houre cometh and now is when the true Worſhipers, ſhall worſhip the Father in ſpirit and truth, for the Father ſeekes ſuch to worſhip him, and* 24. *verſ. God is a ſpirit, and they that worſhip him muſt worſhip him in ſpirit and truth*, 2 *Cor.* 3. 17. *From hence it is clearly evident* (for this was before he was offred up) (that *then* was the time) that neither at *Jeruſalem*, nor in the *Mountain* of *Samaria*, it ſhall be only ſaid they worſhip the Father, though at *Jeruſalem* was the place, *Deut.* 1. 1, 2, 5. of worſhip formerly, and the *Jewes* held it then, and the worſhip was that which was commanded, to wit Sacrifices, and Offrings, and many other legal Services, which belonged to them to perform according to the command of God, and if ſwearing or oathes was any part of the *ſervice of God*, as in that Covenant, as we with *A. S.* doth grant, *Deutr.* 10. 20. *Tou ſhall fear the Lord and ſerve him, and ſwear by his name*, then I ſay, that ſwearing amongſt the reſt of the worſhip *is included*, but ſaith Chriſt, neither at *Jeruſalem*, nor this Mountain, but they that worſhip ſhall worſhip the Father in ſpirit and in truth, ſo that the time was (then) but came on more afterwards to be fulfilled, that both the *place*, and the *worſhip*, and *ſervice* that belonged to the place, they ſhould no more worſhip the Father (with and in) but in the ſpirit and in the truth, and this may be in anſwer to that which *A. S.* makes a great adoe with in his Book, how that Chriſt ſaid, *ſwear not at all*, it was before his death, and therefore they that argue, ſaith he, that ſwearing was prohibited only and ended in Chriſts death, cannot plead that all Oathes was prohibited, but that command of Chriſt, *Mat.* 5. becauſe he ſpake this in his life time, I ſay ſo did he this, *Jo.* 20. 21, 22, 23. And he may as well argue that Chriſt deſtroyed the place of worſhip at *Jeruſalem*, and the Worſhip alſo, and came not to fulfill it as he ſaith he did, and why, but becauſe he ſpoke this before he was crucified, and ſo did he, ſwear not at all, and why may not *A. S.* conclude with us that this is a commodious place to interpret and explain Chriſts meaning in thoſe words in the 5*th Mat.* 23, and 24. and ſo the words may truly be underſtood thus, *ye have heard that it hath been ſaid of old time, thou ſhalt not forſwear thy ſelf, but ſhalt performe unto the Lord thine Oathes*, *Exod.* 20. 7. and *Deutr.* 5. 11. but the houre cometh and now is, (*when I ſay unto you*) that ſay more then the Law hath ſaid, *ſwear not*

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at all, neither by Heaven nor by the Earth, but let your yea be yea, and your nay nay, for whatsoever is more then these cometh of evil, and yet whatever may or can be said *A. S.* will need conclude that all swearing is not forbiden, and why? because it hath been the practise of holy Men, and also an Angel, this Argument is of little force, so was it the practise of holy Men to offer *Sacrifice*, and *burn Incense*, and as for the swearing of the Angel, *Dan.* 12. and *Revel.* 10. 6. to prove the lawfulness of some swearing, these hath been answered, over and over, and over again, though *A. S.* will take no notice of it, though I perceive he hath read the Arguments that have been used as Answers to these things, though he will not seem to take notice, nor to reply to confute the Arguments, but rather minds his own, and to assert what may seem to make for his purpose, as to the matter he hath taken in hand, but as for good Mens swearing, and the Angels swearing, if their example would justifie the lawfulness of swearing, yet they could not be any president to us, who are under the Gospel of the *Son that is greater then the Angels*, (by the dispensation of whom) the Law for *Oathes*, *Tithes*, *Offrings*, *Oblations*, and other legal Rites, and Rudiments was given, which *Son also, all the Angels of God are bid to worship*, for the Apostle saith, *Hebr.* 2. 5. *For unto the Angels hath he not put into subjection the World to come*, but that is committed unto the Son, under whose ministration and subjection *we are*, who said; *Let your yea be yea, and your nay, nay*, and speak the truth, and do the truth, and bear witness to the truth, who said; *Learn of me*, and these things we have learned of him unto whom all power is committed, for he is counted *Hebr.* 3. 3. more worthy of glory then *Moses*, though *Moses* was faithful in his House as a Servant, but *Christ as a Son*, which is that great Prophet that *Moses* prophesied of, which all is to hearken unto, with whom the Father is well pleased, *being made so much better then the Angels*, *Hebr.* 1. 4. *as he hath by inheritance obtained a more excellent name then they*, vers. 5. *for unto which of the Angels said he at any time thou art my Son, this day I have begotten thee*, vers. 6. *Again when he bringeth the first begotten into the World, he saith, let all the Angels of God worship him, of the Angels he saith he makes them ministring spirits, and a flame of fire, but unto the Son he saith thy Throne oh God is for ever and ever, the Scepter of righteousness is the Scepter of thy Kingdome, for if the words spoken by Angels was stedfast, and*

every

every transgression received a just recompence of reward, how shall they escape (*Hebr.* 2. 3.) who do not only *neglect the command of Christ* but labours to pervert, through their strength of their own reason the *ministration of the Son*, who is the summe and substance of all shadowy and typical ministrations; and therefore *A. S.* and all concerned look to it who would introduce *Judaism* and the *Mosaical observations* upon the *neck of Christs Disciples*, and as Lawes in his Kingdom, and whether would not this *prefer* the *servant* before the *Son*, yea or nay, and his ministration before the ministration of the *Sons*, though the one is not against the other, but the one pointing at the other, and in the latter the first is fulfilled, the truth declared, the truth spoken, the truth lived in, and the truth confessed in every matter wherein any Christian is concerned, which is the summe and the matter, which all oaths in their *highest* and *greatest ordination* could or can effect.

In the 4. *th.* page of his Book he saith, our Saviour saith *Amen*, *Amen*, 24. time in *John's* Gospel, which he saith St. *Ambrose* will needs have to amount unto an Oath; and he cites *Apoc.* 3. These things saith the *Amen*, compares it with *Isa.* 65. 16. where he concludes that *Amen* seems either to be a *name* or an *epethite* of God, and this he says is the opinion of our Church in the Homily against swearing, that our Saviour did swear divers times; and further says, it cannot be denyed that God himself swore, *Psalm.* 110. 4. The Lord hath sworn and will not repent; and so concludes that Christ forbid not all swearing: Unto this Bp. *Gauden* though he straines and screws very hard as *A. S.* doth to make all things to bend to their inclination will needs have *amen*, or verily, verily, to be an Oath: Doctor *Gauden* in his citation of *Capellus* out of *Rabby Johnas*, says, *In veritate forma jurandi apud Judeos*; but he concludes doubtfully, and says, it is only the next degree unto an oath; but *A. S.* thinks he hath put it out of doubt with his reason and his Authors, that *verily*, *verily*, is an oath, which if it were true this would only prove swearing lawful in Sermons, and not in Controversies, which is the great good end he so much pleads for, and if this were true would serve his turn. The Magistrates exacting Oathes he seems to prove out of the *Mosaical Law*, and the Priests swearing lawfully out of *Pauls Epistles* and *Christs Sermons*, but this his covering is too short, and is but trifling in the weighty things of God, not distinguishing betwixt the

first

first Covenant and the second, and the Ordinances thereof; for the first he hath no adversary, *viz.* that they did swear though never *exacted* under *penalties*, the second we conclude to be no oath, *viz. Amen, Amen*, or verily, verily, which is no more then *truly, truly, I say unto ye*; and if this be an oath why hath it not, and why is it not *accepted as such*; for we have said more then this and can do in truth which we look upon to be far from amounting to an oath, and yet it would never be received as such, which argues plainly that what *S. F.* and *R. H.* hath said, though *A. S.* quarel with it, that surely the *Magistrates in England* doth not believe the *Priests Doctrine*, for if they did, why are so many sentenced to perpetual imprisonment, with confiscation of all Lands and Goods to the ruinating of many poor Wives and Children, which *A. S.* knows little of, and for ought I know such a discourse as this may add affliction to their bonds, and misery to their sufferings, and yet these have never been received; as if we say, *verily, verily*, or *truly, truly*, or *God is our witness*, or *we speak the truth in Gods presence*; yet notwithstanding this would never give satisfaction to any Magistrate in any Judicature that ever we knew or heard of in *England*; and though he tell us of *J. Pennington*, how that he gave satisfaction, and that it found acceptance with the *Court, and also to the King*: We are not ignorant of what *J. P.* hath written, which is wholsome, just, and good, and sound, and condescendingly as a Christian man could do, as about the premisses to pacifie and satisfie all whom it concerned, that they might not proceed in such a rigorous manner against the truly conscientious, and so in letting them know what we could do, and what we could not do, yet notwithstanding what ever any might seem to own as sufficient in *private*, we never found it in *publick*, or in any case of concernment, but rather they knew before hand what would *ensnare us*, have set the snare, and run us into it; but notwithstanding all this that *A. S.* will have to be oaths, as *God is witness*, and *I speak the truth in Christ*; and *verily, verily*, it will not serve, for he says, the Law will not allow of it, for inferiour Magistrates are sworn he says to act according to Law, and the Law prescribes in what manner, and with what formality Oaths shall be taken; and therefore the Magistrates are not at liberty to accept thereof, because they are tyed up to the Rules of the Law, as I said before, seeing that Oaths are a matter of great concernment unto many it had

been a more necessary discourse for *A. S.* to have told the Magistrates that these things in testimony which were ready to be given had been sufficient, and that they should not so much have stood upon the formality, seeing that which answered the substance of the Law was not denyed, though we except against the formality which is now used, and hath no example or president in the Scriptures of truth as they are used; and therefore let *A. S.* tell the Rulers that the rules of the Law in this case is too strict, and the penalty exceeds the *transgression* far; as for a man for not holding up his hand, or laying it upon a Bible, and kissing it, and saying after a Clark or a Cryer, I swear, and the like needless Ceremonies, which are not without (at least) a shew of evil in them, yet for not *doing* and *observing* these *formalities*, though those things which *A. S.* and others calls *swearing*, we have condescended unto; yet it's reckoned as insufficient, though themselves say it is an oath, yet it is not called so, nor accounted so, except the aforesaid *needless trifles* be *observed*, and is not this a hard thing, and far from *equity*, *justice*, and *reason*, that a man should be exposed to so great a *penalty* as *Confiscation of lands and goods, and perpetual imprisonment*, for want of observing of these trifling, groundless, needless Ceremonies and formalities, which is not at all beseeming *Christians*; and whether the Law had not need to be rectified in this case, which exposeth so many to so great suffring, which we in conscience doth *except* against as well as Oaths, and feeth that the *penalty* far exceeds the crime, if it were any; but we look upon it to be *none at all*, but rather a duty incumbant upon *Christians* to keep to *yea and nay*; or that which amounts to it in all their communications both publick and private, and not to *swear at all*, but to abide in Christs Doctrine and walk after the Primitive Christians example to testifie the truth and not to swear: And as for *Amen, Amen, verily, verily*, is no more then *truly, truly*, and is no more then an *ardent*, and a *fervent speech* from the heart of him that speaketh, wherein he would be believed, or it is truth from which and in which he speaks; and as for comparing *Amen* with the 65. of *Isa.* and 16. where he is called the *God of Truth*; this proves nothing at all, he is called the God of Truth in opposition to false Gods, which were lies; and in opposition to the Heathenish Gods which were not true Gods, which had eyes and saw not, &c. and could not save; he might as well say, when *wisdom, holiness, righteousness*,

ouſneſs, or *immortality* is *named* or *mentioned*, that therefore it is an *Oath*, as when truth is ſpoken, for theſe are as much *epethites* of God as truly or truth; and though your Church in a Homily againſt ſwearing, do ſay that Chriſt did often ſwear becauſe he ſaid, *Verily*, we judge you have concluded upon too ſlender a ground: And as for *Pſal.* 110. The Lord hath ſworn and will not repent: It is not denyed though the Lord *ſware once, yea more then once by himſelf*; this was in condeſcention to the ſtate of Man in weakneſs and unbelief; and as to the ſtate of the *Jewes*, *Gal.* 3. 19. before the ſeed was revealed, which was the ſubſtance of all figures, and *Gods example of ſwearing* is no example for us now to imitate, and was in no wiſe a confirming of that old legal Ceremony of Oaths, as a practice *legitimate to his Saints for ever*, as *A. S.* would make us believe it was, for his Oath, *viz.* (Gods) ended in *Chriſt, in whom all the promiſes confirmed by oath, were yea, and in him Amen*, was alſo to end all ſtrife between him and men, and to put an end to all ſtrife and Oaths alſo that are among Men to end ſtrife; *Ambroſe* ſaith upon that 110. *Pſal. Let him then ſwear who cannot repent of his Oaths*; a little after the ſame *Ambroſe* ſaith, *Do not imitate him in ſwearing whom you cannot imitate in performing*; and indeed the principal ſollution he gives is not to ſwear at all: And *Theophilus* upon the place in Controverſie whom *A.S.* ſays was not cautelous enough, as it ſeems among the reſt of the Fathers that *A. S.* ſets as judge of, he ſaith, *learn hence that under the Law it was not evil for one to ſwear, but ſince the coming of Chriſt it is evil, as is Circumciſion, and in ſome what ever is Judaical, for it became a Child to ſuck but not a man*: So that it appears he amongſt the reſt of the Fathers did not only declare againſt Oaths in general or private communication, but alſo diſtinguiſhes betwixt the firſt Covenant and the ſecond, and the Ordinances thereof; and though the holy Ghoſt bear witneſs that both Angels and Men, yea and good Men, and the Creator himſelf in that firſt Covenant did ſwear, ſo that *A. S.* concludes that it is not morally evil of its own nature; In the firſt we ſhall not much quarel nor diſpute as *under the Law*, but that which was obliging then, as by command, is not always *obliging*, but Chriſt the end of the Law for Righteouſneſs ſaid, *Let your yea be yea, and your nay, nay, for whatſoever is more* under the Goſpel (then amounts to this) *comes of evil*; therefore there is no neceſſity to put any other ſence of Chriſts words then his *uni-*

verſal prohibition of all ſwearing as under the Goſpel, (ſeeing that ſpeaking the truth, confeſſing the truth, declaring the truth, and nothing but the truth in any matter wherein any Chriſtian is concerned either in reſpect of *God*, or a *mans neighbour*, this anſwers the very ſubſtance of the Law, and the very end and purpoſe thereof, as ever an *Oath* did among the *Jewes* in the firſt inſtitution; foraſmuch as ſpeaking the truth acknowledgeth Gods *Omniſcience* and *preſence*, and *power*, and *wiſdom*; ſecondly it doth any office to any neighbour, as in bearing witneſs to any truth, and again to find out any *tranſgreſſour*, or *tranſgreſſion*; and this is done, may be done, and ought to be done by all true Chriſtians; and therefore no neceſſity of that *formal Ceremonious* way of *ſwearing* as under the Law, neither is there any neceſſity for ſeeking any other ſence of *Chriſts words* and the *Apoſtles words*, *Swear not at all by Heaven or Earth, or any other*, ſeeing all the main ends and good ends, and good purpoſes is anſwered in the full, which the Law in the full *latitude* and *morality* thereof did require, or for which it was given.

His ſixth Argument is, That either theſe words, *Swear not at all* muſt be interpreted as not to forbid any oath though taken upon juſt occaſion, or elſe *Paul* never knew the meaning of this text, or elſe contrary to his knowledge, and that upon *good deliberation* he acted againſt it, and that in theſe very writings wherein we all believe that he was infallibly aſſiſted by the *Holy Ghoſt*; for his Oaths ſaith *A. S.* are upon record, 1 *Theſ.* 2. 5. *God is witneſs*; ſee *Rom.* 1. 9. Now to call God to witneſs is the very ſubſtance of an oath ſaith *A. S.* and as *Auſtin* tells him, and he ſays he hath not read of any of a contrary opinion except ſome *Phanaticks*, which if they would yield to as much as *Paul* ſaith, *God is witneſs* of the truth of their aſſertions, it might be wiſhed out of condeſcention to their weakneſs that they might be diſpenſed withal if the Law would give leave as to the external formality of an Oath.

Anſ. What A. S. will call a juſt occaſion I know not, it appears to me he would have a large compaſſe, and a larger then the moſt contenders againſt *Chriſts Doctrine* that we have met with or what he will account a juſt occaſion I know not, though otherwiſe he ſeem to condemn ſometimes *needleſs* and *vain oaths* in ordinary communication, though I know ſome without reflection upon A. S. who uſes them too too frequently, and are not only members but

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Paſtours ſo called of the Church of *England*, and though he ſeeme in his Diſcourſe here and there to be againſt *cuſtomary* and *vain oaths*, yet for all that what he calls a juſt occaſion upon ſome ground, ſome calls it a needful occaſion when they are called before a Magiſtrate and ſome when any buſineſs is in controverſie betwixt man and man calls it a juſt occaſion, where ſometimes I have ſeen a *Curate* adminiſter that which he called an oath upon a Book, what ground he had I ſuſpect either from *Commandement*, or *example* of *Primitive Miniſters*, (is certain he had none) but it may be A. S. will conclude it was upon *a juſt occaſion*, but what compaſs he will have for his juſt occaſion is doubtful, ſeeing he hath put no *termination* or end to it; but for ought I can perceive would leave liberty for every man to *exact an oath upon another* when he would, and call it *a juſt occaſion*, and account it a point of *duty* in the other to obey even in ordinary communication. And as for St. *Paul* we deny thy Argument, as that he never knew the meaning of this Text of Chriſts prohibition; ſecondly that in his Writings he acted *contrary* to his *knowledge*, and upon ſet *deliberation, for though God was his witneſs whom he ſerved with his Spirit, in the Goſpel of his Son, that without ceaſing I make mention of you always in my Prayers*. Alſo, *that which* A. S. *calls an oath*, 1 *Theſ.* 2. 5. *For neither at any time uſed we flattering words as ye know for a cloak of covetouſneſs, God is witneſs*. Though we know and infallibly believe with A. S. that he was infallibly aſſiſted by the Holy Ghoſt, when he publiſhed the Goſpel of Chriſt among the *Gentiles*, and wrote both unto the *Jewes*, and to the *Gentiles*, who believed that his calling *God to witneſs* was not any *oath*, neither was there any *neceſſity* or juſt *occaſion*, whatever A. S. may call juſt occaſion we cannot, for he hath left ſuch a great compaſs for himſelf to turn in, though here and there he ſeem to diſallow of cuſtomary oaths and frequent oaths; yet notwithſtanding his Diſcourſe rather tends to an allowance of ſwearing freqtiently and unneceſſarily, for we reckon it to be a piece of ordinary communication for a *Chriſtian Miniſter* to write a *Letter* of *admonition*, or *exhortation*, or an *Epiſtle* unto the believing hearers, and that there is no neceſſity of *Oaths* in ſuch a diſcourſe; for whatever A. S. ſayes this would make the Apoſtle guilty of *frequent*, and *unneceſſary*, and *common ſwearing*, which we are far from believing; forasmuch as they that did believe through the word of life declared *by the ſpirit*

of God in him, neither through his Epistles written, being assisted by the *Holy Ghost* they were not like to believe him *for swearing* if he had *sworn*; but saith A. S. if his words had really been believed which he spoke and wrote, what occasion would there have been for him to have written so to the *Romans*, *Rom.* 9. 1. *I say the truth in Christ, I lie not.*

The Apostle knew what occasion he had to speak these words, and the *occasion was this*, that the *Jewes* sought to be *justified* by the *Righteousness of the Law and by the works thereof*, and would need look upon themselves as the Children of God, because they were of the stock of *Abraham* according to the flesh, but the Apostle knew and also gave them to understand that the Children of the promise was counted for the Seed; and again, *for they are not all Israel which are of Israel*, *Rom.* 9. 6, 7, 8. And thus he spake truth unto them, as it was revealed by Christ, whom the Father had revealed in him, and why might he not say, *I speak the truth in Christ*, seeing that Christ was in him, and he in him? *I lie not*, my Conscience also bears me witness in the Holy Ghost, he might also as well say that *Paul swore* by his *Consolence*, seeing that he took it for a witness; *away, away*, with such *perverting* and *straining* of the Scripture beyond and beside the mind of the *Holy Ghost*, for *God is witness, and I say the truth in Christ*, they are no more then *ardent* and *zealous*, or *fervent expressions*, as the *spirit* of God at several times did stir up in his heart both to speak and write, for the end that they unto whom he spoke or wrote might believe; and therefore we conclude not as A. S. would needs have it, that the Apostle spoke these fervent words *unnecessarily*, for we know and see his end and purpose was good, and therefore he spoke with *ferveney*, and with *boldness* the spirit of the Lord bearing witness in his conscience that he spoke the truth, which we are far from believing, is either *juration* or *abjuration*, and for ought can be perceived by A. S. disdainful spirit, all that doth dissent from him in his opinion he calls *Phanaticks*, and *Paul* shall hardly go free, nor divers of the ancient Fathers, as, *Orgen*, *Chrysostome*, *Jerome*, *Theophilact*, and others, who denyed not only swearing in private conversation, but to *swear at all*; but now these must be called *Phanaticks*, who dissent from all Men but themselves, by A. S. and such as he who sails with *wind* and *tide*, and exalteth and applaudeth that *which hath praise amongst men*, *and hath not the praise of God*; and

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so the last of all he makes this conclusion, *that so help me God*, is the most certain expression of an oath; which forme of words that though he count them certain, we find not either under the Law or under the Gospel; and I look upon it more as a piece of *flattery* in A. S. because this is the forme and the custome which is *now called swearing*, which is in use in this Nation, and its strange to us that they will reckon this so great a piece of peculiar service, which is *incommunicable* to any *Creature* but only to God, when as indeed we never find it written or commanded, either among the *Jews*, or commended or used amongst all the writings of *Christ* and the *Apostles* that hath relation to Christianity; Indeed I remember that I have read that in the days when the *Popes* Authority was in full power here in *England*, how that the Chancellour then of *England* said to one of *John Wickliffs* followers being brought before him, in Examination he said unto him, Lay thy hand upon the Book thou *Heretick* and swear, *so help me God and holy doom*: An old *superstitious Popish forme* I look upon it to be, and hath no consistance with an Oath in its true matter and forme under the law, when it was commanded; and for ought I see A. S. will rather take part with the *Church of Rome* and her *members*, who persecuted, rather then *Wickliffe* that famous *Reformer*, who had his *Bones* taken up and burned 41. years after his Decease, and his Books, and these Articles condemned by the *Council* of *Constance*, who also burned *John Hus*, and *Jerome of Prague* for holding *John Wickliffs* Opinions, which was, *that all Oaths under the Gospel be unlawful*. I say A. S. might have been more modest then with the *Council* of *Constance* condemn them for error, seeing they were the only people in their age and time that opposed, and suffered for opposing the Church of *Rome* in the Apostacy, seeing that they are faine to own them if they look for any Reformation before *Luther* to be their *witnesses* against the Church of *Rome*, which I have heard many *Protestants* say that they were on their part against the Church of *Rome*; and though A. S. tells us of a generation of people, *quos non persuadabis etiam si persuaseris*, who as they will not be perswaded so they will not be councelled, who will have nothing else to be the formality of an Oath but *by God*; but this he says only *of his own head*, except he knew some people that we know not of, for we say to *swear the Lord liveth is an oath*, and again, *as the Lord lives it is an oath*, or *by the Lord that lives*

lives for ever and ever is an oath; and yet we muſt needs deny that *Paul ſwore in the* 1 *Cor.* 15. 1. when he ſaid by your rejoycing I die daily: And we never ſaid *A. S.* miſtook himſelf in ſaying that, *by*, as the only mark and character of an oath; and if *Auſtin* ſaid upon theſe words of *Paul* as *A. S.* tells us, *per veſtram gloriam juratio eſt*, upon *Pauls words*, I ſuſpect his judgment, and therefore ſhall not ſo much regard it: But *A. S.* ſeems not to be at unity in his book with himſelf notwithſtanding all his raveling out where he ſeems in his 41. page to diſlike of *Nicholas Fullers* judgment, *viz.* that there is *no oath* where God is not *interpoſed*; and yet in the 56. page he ſaith that the ſubſtance of an oath conſiſts in the *atteſtation of God*, and in the 89. page he ſaith that Chriſt anſwering to the *high Prieſt*, *I am*, and *thou haſt ſaid*, is an oath. And in the 91. page it was enough that Chriſt denyed not to ſwear, and from this he imagines that *he did ſwear*; and when we enquire what the oath was, it amounts but to this, *thou haſt ſaid I am*; and where was the *atteſtation of God* here named, or mentioned, or ſpoken on by Chriſt? was his words any more then his own Doctrine which he taught before, *Let your yea be yea, and your nay, nay:* when the high Prieſt ſaid, art thou the King of the *Jewes*? he anſwered *I am*; and is this any more then *yea*, though not in the ſame *ſyllables*; and *Mat.* 26. 63. *I adjure thee to tell us whether thou art the ſon of God or not?* and he anſwered, *thou haſt ſaid.* And is this any more then *yea*, or *I am*, or *it is truth* But indeed if one ſhould traduce *A. S.* in his diſcourſe and of his definition of an *Oath*, it is ſo uncertain one ſhall hardly know what to pitch upon to be his judgment, ſometime it is *this*, and ſometime it is *that*, and ſometime it is neither *this* nor *that*, ſometime he ſays *there is no oath where God is interpoſed*, one while an oath conſiſts in the *atteſtation of God*, another while it conſiſts in ſaying *truly, truly*, and ſometimes, *I call God to witneſs* is an oath; and ſometimes *thou haſt ſaid* is an oath, ſometime becauſe *God* is named in a ſentence, therefore he concludes it muſt be an *oath*, otherwiles when he is not *named* it muſt be an oath; and thus he twines up and down, leaving people in the dark, and leading them after his imaginations. And I ſhall conclude the Anſwer to this reaſon, and neither impute *ignorance* nor *wickedneſs* to the great *Apoſtle*, nor conclude that Chriſts words as he ſaith doubtleſs the Apoſtle did, muſt be underſtood in a limited ſence, and limited only to *Creatures*, and not to

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all ſwearing; and why ſo but becauſe the Apoſtle ſaid, God is witneſs; and I ſpeak the truth in Chriſt, which is no *contradiction* of Chriſts prohibition, ſwear not at all.

His ſeventh Argument is this, If ſome ſwearing be enjoyned in the third Commandment, then all ſwearing is not forbidden by Chriſt in theſe words, *Swear not at all*, becauſe he came not to deſtroy the Law, but ſome ſwearing is their enjoyned, or elſe the Law written by the finger of God in Tables of Stone cannot be vindicated from imperfection; and therefore in this negative precept the affirmative muſt needs be included, thou ſhalt reverence the Name of the Lord and ſwear by it, whenſoever it is *not vain* but neceſſary, which is required by a lawful Magiſtrate for the glory of God, and for maintaining of peace, puniſhing offenders, and ending of Controverſies, and all theſe are neceſſary ends, but not attainable, at leaſt not ſo well by any *expedient*, yet put in practice as by interpoſition of oaths, ſo it cannot reaſonably be believed that Chriſt would forbid them being of ſuch important uſe.

Reply. The ſubſtance of this is anſwered before, but however *A. S.* how he can make this third Commandment, Thou ſhalt not take the name of the Lord thy God in vain, to prove the continuation of ſwearing under the Goſpel among Chriſtians we do not ſee, If *Biſhop Gaudens* words be true (as they are) who ſays, *A true Chriſtians oath is needleſs, his word being as firme as it, page 41. and an evil mans oath is worthy of no more credit then a lyer, pag.* 17. Since upon that account whoſoever ſwears by the name of God ſwears in vain and to no purpoſe, whether he be a *true man*, or one *deceitful*, his word amounting to as much as *his oath*: And why *A. S.* mentions the third Commandment to prove ſwearing lawful under the Goſpel except for the morality of it which he looks upon Chriſt came not to deſtroy, and doth he look that every *letter* and *ſyllable* of all the *ten Commandments* is ſo *moral* in all reſpects *unchangable* and uncaple of any *annihilation by Chriſts coming* he much forgets himſelf, for all theſe things contained in the firſt Table are not ſo *moral* or *perpetual* without ſome *ceremoniality* and *ſubjection to alteration by Chriſts coming*, as he imagines if he had but remembred the *fourth Commandment* the next unto it, Remember that thou keep holy the Sabbath day, which then was the very *7th. day* of the week which God had ſanctified, was but a type and

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ſign, and ſhadow, and figure, and a ceremony of the *7th.* day of the *worlds* reſt from its labour and of the everlaſting Sabbath as I ſaid before, *Heb.* 4. and I might as well argue if the *7th.* day of the week was commanded in the *fourth Commandment*, then the *7th.* day is not *prohibited*, neither by *commandment*, *example*, or *practice* of *Chriſt*, the *Apoſtles* or *Primitive Chriſtians*; and I might add this as a reaſon, becauſe Chriſt came not to *deſtroy the Law* but to fulfill it; and further I might add *the 7th. day* was enjoyned in the *4th. Commandment*, (and they uſed to call it as *moral* as the *third*) and therefore it ought to be ſo under the *Goſpel*, or elſe the *Law* written in *Tables of ſtone cannot be vindicated from imperfection*, and what would all my *arguing prove*, even as much as *A. S.* his arguing, the *continuation* and neceſſity of oaths from the *third Commandment*, and that is nothing at all; and the Law of God needs not *A. S.* nor any vindication, it is *perfect and endures for ever*, *Pſal.* 19. 7. and the Ceremonies, and types, and ſhadows that were joyned with, and unto the ſubſtance of the Law, doth neither *add* nor *detract* from its *perfection*, but it is the ſame in its ſelf for ever; and though we cannot own *ſwearing* in that *ceremonious way* as the *Jewes* did uſe it till the *ſeed came*, unto whom the *Law* and the *Prophets bore witneſs*; yet we do not make void the *third Commandment*, we take not his *name in vain*, but *reverence it*, and *ſpeakes well of it*, and *ſanctifies* it in our *hearts*; and as the Apoſtle ſaid, *Do we make void the law through the preaching of Faith, God forbid.* So do we make void the *law*, or the *perfection of it*, by ſpeaking the *truth*, and bearing witneſs to the *truth*; though as I ſaid we cannot own thoſe *typical ceremonious* way of ſwearing as it was in the firſt Covenant; nay it is *eſtabliſhed*, and the third Commandment is eſtabliſhed, for he that ſpeaks the truth and bears witneſs in and from the truth, *honours Gods name, and reverences it*, forasmuch as he is called the *God of truth*, and as we have ſaid, being lawfully called before a Magiſtrate to bear teſtimony in any thing wherein the glory of *God*, or our *Neighbour* is concerned, or the deciſion of *Controverſie*, ſeeing that *true teſtimony* is a *medium* that concernes as much to that purpoſe now as ſwearing did under the *Law*, therefore we have ſtill been and are ready to anſwer all theſe neceſſary ends, and as well; and this is as good and expedient to be put in practice amongſt Chriſtians as interpoſition of Oaths, enjoyned by God in the firſt Covenant, and far more

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Evangelical, and therefore ſhall conclude with that of *Jerome*, the *Goſpel truth admits not of an Oath.*

His eighth Argument is, That Chriſt did never any things without ſome ground of reaſon, but no reaſon can be ſhewed why all manner of ſwearing ſhould be forbidden in a due manner, and upon a juſt and neceſſary occaſion, and therefore we may well believe that ſuch *ſwearing* was neither here or any where elſe forbidden.

Reply. We ſhall not much diſſent or diſagree about terms with *A. S.* that Chriſt did never any thing without ſome ground or reaſon, but yet we muſt deny his Concluſion, that no reaſon can be given why all manner of ſwearing ſhould be forbidden; firſt of all there was a time ſince man had a being in this *Creation* when he was in the *image of God*, and ſtood in the Covenant of *God*, when there was no *Oath*, neither any neceſſity thereof, Man being endued with power from God, which was placed in him, ſo that he was in a capacity to fulfill, obey and ſerve, and believe his Maker *without an Oath*; for unbelief or ſin had not yet entred, and this was before the fall, *Gen.* 1. 26, 27. Secondly, Chriſt the unſpeakable gift of God, who is the *Mediator of the everlaſting Covenant*, yea the Covenant it ſelf, who is given for a *leader to the People*, and who is made a Propitiation for ſin and tranſgreſſion, *to end both ſin, tranſgreſſion, and unbelief*, which was the cauſe of *the addition of the Law*, who leads to the beginning again, all that truly do believe, and are worthy to be called true Chriſtians, or by the name of Chriſt to have union with God again, in that *life, power, truth, righteouſneſs and wiſdom*, in which the *Image of God* truly conſiſts which was before ſin and *tranſgreſſion, and before the Law which was added becauſe of it, which was commanded four hundred and thirty years after the Promiſe was made, Gal.* 3. 17. Thirdly, After ſin was entred, and death by ſin, an unbelieving part got up in all the Sons of *Adam*, ſo that they could not believe God nor his Promiſes, and yet ſuch was his love unto Mankind, conſidering the ſtate into which they were plunged for confirmation of his Word unto man, he *ſwore by himſelf* this was the Lords *condeſcention* unto their low and *unbelieving* eſtate all that time, and no way exemplary for Chriſtians (truly ſuch) who are come into the *Faith*, and to the *truth* it ſelf, who do believe that all the Promiſes are fulfilled in Chriſt, *yea, and amen*, who is the author of *Faith and of*

eternal Salvation to them that believe, *Heb.* 9. 12. who prohibited that by his command, *Mat.* 5. 23. which ſometimes was permitted, yea and commanded, yea and added becauſe of *tranſgreſſion*, and for which the *law* and the *command for Oaths* (was only added) which he did not deſtroy) becauſe he leads from under the power of that which the Law came *againſt* (which is juſt and good, and holy) and the ſeed fulfills it, and hath unity with it, and with him who is the Judge and Law-giver, and Saviour of all that do believe in him from ſin and tranſgreſſion. Fourthly, At that time when the Law was given forth at Mount *Sina*, *Exod.* 19. 20. *generally* all the Nations were given to Idolatry, and to ſerve and worſhip ſtrange Gods, as *Baal*, *Aſhtaroth*, *Chemoſh*, *Rimphan*, & many others, as the Gods of *Samaria*, which was ſaid to be according to the number of their Cities, and their Idols were called the ſin of *Samaria*; *Amos* ſaith, *They ſwear by the ſin of* Samaria, *that did ſay, thy God O* Dan *lives*; *and the manner of* Barſheba *lives, even they ſhall fall and never riſe again*, *Amos* 7. 14. Which was no other then the *Calves* which *Jeroboam* ſet up at *Dan* and *Bethel*, which they *feared*, *worſhipped* and *ſwore by*; therefore God having choſen a peculiar people to himſelf to worſhip and ſerve him, and honour him, who ſhould not walk after the manner of the reſt of the *Nations* who knew *not God*, he commanded them to ſerve him, and worſhip him, and *ſwear by his Name*, as *Jerome* ſaith well, *to keep them from Idolatry*, and that they ſhould not ſwear by the Gods of the *Heathen*, as the reſt of the Nations did round about; yet ſtill this muſt be conſidered that this was the ſtate of the *minority* of the *Jewiſh Church*, wherein God gave them Ordinances ſuitable to their ſtate, but it doth not follow, neither can it be reaſonably concluded that theſe Ordinances were to be perpetually binding unto all *future generations*, eſpecially when *Chriſt the ſeed* unto whom all the Promiſes are, in whom the *Law is fulfilled*, and in whom the former miniſtrations ends, that his Diſciples and true Chriſtians ſhould always be bound to thoſe things once commanded, eſpecially ſeeing *Chriſt their Maſter*, in whom the Father is well pleaſed, hath *prohibited* this about *ſwearing*, and alſo did *propheſie* of the time to come after his *Reſurrection* and his *Aſcenſion*, that thoſe *viſible things* which were as a Miniſtration for a time, ſhould end as to the outward *exerciſe* and *typical* and *figurative appearance* of them, and that all theſe things ſhould be revealed within

in by the Spirit and felt in the *power of God* in all that did believe, when the Holy Ghost should be poured forth, and the *Promise of the Father* be made manifest. Fifthly, Now considering that the name of *God is believed in*, and he is confessed unto, and his *Christ*, and that there is not that Idolatry (especially outward) as there was in the Nations before and after the *flood*, especially in that which is called *Christendom*, though we dare not conclude that all are *Israel* that are of *Israel*, or that all are Christians that have the name, yet generally I say the name of *God* and his *Christ* is acknowledged and *worshipped*, and not *Idols* and false *Gods*; therefore there is not the necessity of *swearing* by the name of God, as there was at the time of the giving forth of the Law, but especially among them that the Father will reckon as truly *his subjects and disciples of Christ*, who are partakers of his *divine nature*, here is not that necessity among them, *for they through the Law being dead to it, it hath no more power over them*; and therefore no reason that they should be kept as under *Tutors and Governours*, seeing *that the age and ages is come*, which the Apostle spoke of, *Eph.* 2. 7 wherein Christ is revealed the hope of glory, and *whom he makes free are free indeed*, *Joh.* 8. 32, 36.

Sixthly and lastly, The command of Oaths was given for the ending of strife and controversies among Men, *Heb.* 6. which hath relation to the *Law*, and to the state of the *Jewes*, and their *Political proceedings* the *Apostle* brings but that in, as an instance or an *example*, and it is but *A. S.* his groundless supposition that it seems it was used in the Apostles time, the Apostle speaking of an oath only as among *men*, and not of *Saints*, who as concerning strife the occasion of swearing, and consequently concerning swearing should not *walk as men*, 1 *Cor.* 2. 1, 2, 3. but *A. S.* should consider this as every one ought that when men that hath been once in *strife* and *contention*, and *variance*, come once *into Christ*, and to be in him *New Creatures*, (Christians) to walk no more as carnal, not as men, but as men of *God*, and as spiritual, and as *true Saints and Christians*, they come both out of strife and swearing, which was added to *end strife*; and what ever *A. S.* may conclude, we say these and divers more are great and weighty *Reasons* wherefore Christ did prohibit all swearing, and puts it out of use and date, and no necessity of it as among true Christians, seeing that every true saying or testimony is equivolent with an oath.

His ninth Argument is, That either these words swear not at all must not be extended to a total prohibition of swearing, or else Christ thereby gave a new moral command, but Christ gave no new moral command, for that had been contrary to Gods express will, thou shalt not add unto the word which I command; & besides he ordained no new law in the matter of the *6th.* and *7th.* Commandments, and shall we think that he who vindicated the other Commandments from the leud depravations of men, hath abrogated this only, as though it had not been framed by the same wisdom, and acted by the same God, and further Christs opposition is only against the Pharaseical misinterpretations of the Law, and if only so, then Christ did not forbid such Oaths as was lawfully before enjoyned.

Reply. What ever *A. S.* call a new moral command, sure I am, he commanded that which was more *exact* then the *Law*, so that Doctor *Gauden* himself says, that Christ gave many singular precepts of more eminent *diligence*, *patience*, *charity*, *mortification*, *self-denial*, *sincerity*, and the perfection of obedience required now under the Gospel is above what ever the Letter of the *Mosaical Law seemed to exact*, or by the Pharaseical interpretation were taught by the *Jewes*, &c. in which he speaks the truth: it was said in the 21. of *Exod.* and 42. of *Levit.* an eye for an eye, and a tooth for a tooth; but in *Mat.* 5. 39. Christ commanded that which the Law had not spoken of, and not only a further thing, *but another thing*, but I say unto you that ye resist not ill, *but whosoever shall smite thee on the right cheek turn to him the other also*, ver. 40, 41. *And if a man shall sue thee at law and take away thy coat, let him have thy cloak also*; where said the Law this, *And whosoever shall compell thee to go a mile go with him twain*; where did ever the Law of *Moses* command this? and though the Law said, *Levit.* 19. Thou shalt love thy Neighbour, and *hate thine enemy*; which he saith was but a *Pharaseical* innovation, which if it be, I query of *A S.* where in the Law it is written, *love thine enemy*, and as was said before, whether did not Israel fight with their enemies, and *kill them*, and destroy them, and whether they had not a command so to do, yea or nay? as in *Deut.* 2. 24. *chap.* 3. 3. *Numb.* 21. 25, 24, 25. *Josh.* 10. 19. 23. And whether this be not *another thing* that Christ saith, *ver.* 44. But I say unto you *love your enemies*, *bless them that curse you*, *do good to them that hate you*, &c. But it is manifest

ſeſt that in the ſecond Covenant under the Goſpel that a more Evangelical and exact obedience then was expreſt in the Letter of the *Law*, which ſo far as it was *typical*, was only a *temporary diſpenſation*; for as I ſaid before the Letter of the Law of *Moſes* permitted to be *avenged on enemies*, *Ægiptians*, *Amalekites*, &c. And I hope that *A. S.* will not conclude that they *killed* them in love to them, and they might be avenged and take an *eye* for an *eye*, and a *tooth* for a *tooth*, whoſe Goſpel in other points which the Law had not ſaid forbids and condemnes *raſh anger*, *luſt after women*, *polligum*, *divorce*, *except for Fornication*, and yet it was *indulged* and *connived* at as under the Law, yet the Lord ſaith by the Prophet *Malachy*, *Mal.* 2. 16. *He hateth putting away*; while the Letter condemned no more but actual murder, and adultery, indulging and conniving Polligume and divorce: And though under the Law, *ſtripe for ſtripe*, *wound for wound*, was permitted; but under the Goſpel *reſiſt not evil*, *avenge not*, *forbear*, *forgive*, for the whole Law of *Moſes* was given by the diſpenſation of Angels in the hand of that *Mediator for a time*; and ſo ſome ſwearing and ſuch ſwearing as even *by God*, was uſed in order to end ſtrife, where it was yet ſtanding, yet Chriſt the Mediator of a better Covenant, in whoſe hand the Law is now unto all *Chriſtians*, he forbad not only that which the Law *allowed*, and *indulged*, *connived* at and *commanded* in divers things, as is manifeſt in this fifth of *Mathew*, where he prohibits all *ſwearing*; ſo that it is evident that Chriſt doth not only reprove the falſe gloſſes, and the abuſive looſe interpretations of the Law which they allowed, but even *divine indulgence* diſpenſed with and connived at in the things before mentioned, becauſe of the hardneſs of their hearts: And let *A. S.* or any man living ſhew us wherein Chriſt requires a *righteouſneſs* or *perfection* that exceeds that of the Law, for the Law ſaid, ſwear not by any Creature but only by God, and *forſwear not*, and if Chriſt ſaid no more but ſwear not by any *Creature*, as Heaven and Earth, and *Jeruſalem*, where is that higher ſtate of *perfection*, and that *righteouſneſs* which exceeds that of the *Law*, and of the *Scribes* and *Phariſees*.

And though *A. S.* will not grant that he ordained a new Law in matter of the 6. 7. Commandments, no more will he grant of the fourth, which I ſuppoſe *A. S.* doth not keep as it was commanded under the Law where ever he will have his *diſpenſation* I know not; ſo to conclude in anſwer to this, he did more then reprove the erroneous,

roneous tenets and vicious manners of the *Jewes*, and their false *interpretations* and glosses which they had given upon the Law, but he doth disallow also something which the law had allowed before, as is proved before, and that he disallowed something, yea *divers things* which the Law had allowed and *connived*, and *indulged*, as *divers Polligume, killing enemies, or in seeking revenge upon them that had done ill unto us, which the law allowed as an act of justice, Deut.* 19.21. *Eye for eye, & tooth for tooth*; but this Christ exhorted unto, *Overcome evil with good, avenge not, resist not, do good to them that hate you, and pray for them that despitefully use you, and persecute you: Likewise the Law*, Deut. 42. 1, 2. *When a man takes a wife, and it comes to pass she finds no favour in his eyes, because he hath found some uncleanness in her, then let him write her a bill of Divorcement, and send her out of his house, and when she is departed out of his house she may go and be another mans wife: But* Christ *saith, Mat.* 5. 32. *who shall marry her that is divorced, commits adultery:* which is a clear *prohibition* of that which the *Law allowed*, and what *A. S.* will call this, whether a *new moral* command, or promulgation of a *new Law* I know not, but it is evident enough that some things were prohibited by Christ, which the *law commanded*, or at least allowed, and therefore we conclude from the 23. and 24. Verses of the 5*th.* of *Mathew*, that Christ *did probibite all vain swearing and unlawful swearing*, which was disallowed before *under the Law*, but even *all swearing* which was *commanded*, or at least *permitted under the Law*, for the reasons and ends given before, and this will stand as truth, notwithstanding *A. S.* his Argument.

His tenth Argument is, That if the high Priest charged Christ to swear, and he without exception answered upon oath, and that *some years* after he had said, *Swear not at all*, from hence follows that when the Magistrate imposeth an oath, the person charged to swear may lawfully answer upon oath as Christ did, notwithstanding *his probibition of swear not at all.*

Reply. First that was a time when the *administration* of the first *Covenant* was not fully ended, for Christ was not yet offred up, and so the high Priest as being a *Jew* might from the Commandement or permission of the Law as being one that sat in *Moses chair* might require Christ to speak upon oath, *as presuming* he had authority so to do, being he looked upon it as a work of God; and what though it was some years after Christ had said, *Swear*

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not at all; what doth *A. S.* infer from this, Christ knew that the high Priest and Pharisees were about the work of their Father the devil; and though the high Priest did say, *I adjure*, which *A. S.* * tells us is, *I command thee to swear to me*; Christ answered in his own authority, and in the power and wisdom of the Father; and if he had answered as taking notice of the high Priests adjuring, who was about to crucifie the Just, which was not the work of God, neither was jurations or oaths, ever intended to be instrumental in the Devils work, then I argue that if Christ had answered to his *adjureing*, knowing the end was to ensnare him the *Son of God*, then Christ had consented unto his evil work which were *blasphemy* to think or speak, and therefore as it was prophesied of him, he was led as a Lamb to the slaughter, (sometimes he *opened not his mouth*, the *other sometimes* he did in the authority and power of the Father which was with him, and in him, and though the high Priest charged Christ *by the living God that thou tell us whether thou be Christ the Son of the Living God, Mat.* 26. 36, 37. Jesus answered, *thou hast said*, and what is this the oath that Christ sware, *A. S.* tells us before that an oath was, an *attestation of God* to the truth of what was said, but now the words (*thou hast said*) barely of themselves without any *attestation of God* is an oath; if the high Priest had said, art thou *Peter*, or art thou *John* that was with *Jesus* of *Gallilee*, and *Peter* and *John* had answered, *I am Peter and I am John* that was with him; what will *A. S.* conclude now that *Peter* and *John* hath *sworn*? away with such *perverting* and *straining*, and *screwing* of the *Scriptures* from their *genuine sence* only to uphold that which was added because of transgression, now when sin and transgression is finished the end of Christs coming is witnessed to uphold that which Christ came to end, to wit sin, and also an oath which was added because of sin and unbelief, and the hardness of their hearts only to remain till that part was done away, and untill the time of Reformation, *Heb.* 9. 10. to wit the bringing in of everlasting Righteousness, and it cannot be reasonably concluded, that because Christ answered the high Priest, *thou hast said*, that therefore he took notice

* Adjure doth often sign to charge or oblige, by bare promise as well by Oath; for if the phrase, I adjure *thee by God*, be a command to swear by God then this would make *Acts* 19. 13, 13. absurd; when the Exorcists did adjure the evil spirit in the name of Jesus, (not to swear) but to come out or depart out of the man.

notice of commanding to swear, or at least approving of his adjuration, knowing that he was about an evil work, and doing the work of the Devil; which must needs be judged that Christ did neither *approve of*, nor *consent* unto, what ever *A. S.* may say or think, but only in his own authority spoke the truth, and made a *good confession* as he did before *Pontius Pilate to the glory of the Father*, who had sent him, whose will he came to do: And *Luke* 22. 70. Art thou then the Son of God? and he said unto them, *ye say that I am*; and *Pilate* was as much a Magistrate as the high Priest, and he asked art thou the King of the *Jewes?* and he answered him, and said, *thou sayest it*: And *Herod* was as much a Magistrate as either *Pilate* or the *high Priest*, and he questioned with him in many words, but Christ answered nothing, so that he did not so much take notice of their questions, or *examining* or *charging*, or *adjuring* as *A. S.* would seem to make of it; but according to the *wisdom* and *power of God* which was in *him* spoke, and answered in his own authority, without taking so much notice of them as he would infer, he knowing what they were going about, though they had the name and bore the title of *Magistrates* yet were out *of the power of God* (in the perfecting nature) which is the ground and foundation of all authority which is of God; but *A. S.* says *Marke* 14. 62. relates plainly that Christ answered, *I am*; but yet neither *Marke*, *Luke*, nor *John* takes so much notice of the high Priests, *adjuring* or makes so much for *A. S.* his Argument as he would have them, *Marke* saith only, *Mat.* 14. 61. *the high Priest asked him and said unto him, art thou Christ the son of the blessed*, he doth not say, *I adjure* thee, or *I charge* thee to *swear* unto it, as *A. S.* would have it; but though *Mat.* 26. 63. say, (*I adjure* thee to tell us whether thou be Christ the Son of God?) is not much material; for *A. S.* hath made more matter about it then is to any great or good purpose, but I say he was as much bound to answer *Pilate* or *Herod* as the *high Priest*, and as much directly to one as to another, we see his answers was not all alike, but I would not have *A. S.* nor my self neither sit as Judges over *Christs answers*, and *squeeze* and *screw* them beyond or contrary to *Christs intention*; for the summe of the matter is this, *thou hast said, I am*, and *thou sayest I am King*; and is Christs answers to the high Priest and *Pilate*, and nothing to *Herod*; and *A. S.* might as reasonably have concluded that the high Priest rent

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his Cloaths and cryed blasphemy, not so much at, *thou hast said*, or *I am*; as of this the next words, *nevertheless I say unto you, ye shall see the Son of man sitting on the right hand of power, and coming in the Clouds of Heaven*; for then the next words are, *then the high Priest rent his Cloaths and cryed, blasphemy*; and then *A. S.* goes on it was enough that Christ denyed not to swear, and the summe of all or the most that he can make when he hath twined about with many Circumstances to prove that he did swear or consented to *Caiaphas adjuring*, and answered his adjuring, this is all, *I am*, and *thou hast said*; and therefore what either may be or can be said *A. S.* hath concluded Christ did swear; and yet Sect. the 27. he tells us that the essence of swearing is in *calling God to witness*, and how or where did Christ call God to witness? then this overturns his own argument, seeing we do not read that Christ sayed any more in his answer, then as is aforesaid, *I am*, and thou *hast said*; and he says to alledge that Christ sware not, because he laid not his hand upon a *Book* or kissed, or lifted up his hand, is but to trifle, yet he says that ceremony is ancient, as *Chrysostome* tells him that it's above 1200. years since, if it be but to trifle, why are so many conscientious people in bonds this day in *England*, under a Premunirey for these trifles, a very shame to Christianity, for where any or all of these have been denyed, though they have answered the truth, and the whole truth, and as much as *A. S.* calls an oath, yet this hath been counted insufficient, and we know *Justinian* the Emperour ordain'd the ceremony that Men should swear by the *Gospel* or Book, and lay their *hands thereon* and kiss, or the like; and though it be so many years since it was ordained, as *A. S.* says, this adds nothing to the warrantablenes thereof, but custome is proof enough to such a *Ceremonious age as this*, when *formalities, ceremonies, gestures* and *postures* are more *regarded* then the *power of God and godliness*, and we say such a *ceremony* about *swearing* are not without the appearance of evil, for the *Bible* is a *Creature* made up of *many Creatures*, and laying the hand, and kissing and adoreing it in such *manner* is I know looked upon by many to be *swearing by it*, and so the most takes it, and this were *unlawful*, and therefore better to be *wholly avoided* then so many suffer because they cannot *do it*, besides, as I said, the evil appearance of it, for it is not any *Gospel institution*, but an *innovation* since the *Apostacy entred in*; and if God had ever judged any necessity thereof, or

that it had rendred an *oath* more *solemn*, the Law would have said something of it, and it was never a practice among the *Primitive Christians*, and therefore a vain *humane tradition* crept in since; which ought to be *avoided*; and though *A. S.* say to reply that Christ swore not, (though *Caiaphas* adjured him is vain) for an examinate is to answer both in *matter* and *forme* according to what is proposed, I say its *A. S.* his vain *supposition* and *presumption* without ground so to judge that *Christ swore*, I say sometime he held *his peace*, that it might be fulfilled, which was spoken by the Prophet of him before that he should be as a *Lamb dumb before the shearer*, as sometime he was, both to the *chief Priests and Elders*, to *Pilate*, & to *Herod*, which was all in some authority, and sometime he answered them in the wisdom of God, and sometime he spoke and bore witness to that, and prophesied unto them, which was not at all either as to the *matter* or *forme* of the high Priests *adjuring*, for the very next words, (*but thou hast said*, nevertheless I say unto you, *hereafter shall you see the son of man sitting on the right hand of the power, and coming in the clouds of Heaven*) *Mat.* 26. 64. and therefore this showes *A. S.* his argument to be frivilous and vain; and *Marke* saith, the chief Priests accused him of many things, *Marke* 15. 3. but he answered *nothing* either to their accusations, or took notice of the high *Priests adjuring* to answer him in *matter and forme*, as *A. S.* would have it, neither did he look upon himself so oblig'd, but answered sometime, and spoke the truth always when he spoke, and that which always displeased and *dissatisfied the Jewes* when he *answered*, and for ought can be perceived by his arguing that every Examinate is to answer directly to every matter and forme to any that *pretends power* to administer an oath, or to adjure, he goes about to establish the *Popes inquisition*, and create matter, as sometime they did here in *England*, in the heighth of the *Popes domination* forged matter out of their own *wicked hearts* to ensnare the *Lambs of Christ*, and then to require them to *swear* that they might *destroy them*, and accuse them out of their own mouths, even as the *high Priest* sought to destroy Christ and to ensnare him, which methinks *A. S.* hath sayed too much in vindication of his *adjuring*, and will needs have Christ to be of his mind, and at last concludes that Christ swore, but its but upon his own *presumption* and *supposition*, and is more then ever he is able to make evident from what is written: And *A. S.* tells us,

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over and over again, Swearing was a part of Gods Worship, wherein Gods *wisdom*, *power*, and *justice* is acknowledged, and then incommunicable to any Creature or *false God*, as is answered before, so was *Circumcision* then, and the *Oblations*, and *Burnt Sacrifice*, and *Offrings*, and *new Moons* to be performed only to the *Lord*, and was peculiarly to be performed unto *God*, and not *communicable* to any Creature; and we say and prove, *Deut.* 6. 13. 10. 20. that these was a part of the service and worship of God, and which as we shall grant that an oath under the Law was commanded as well as these services, or in his own terms an oath was equally commanded with his service as is proved above; In this he hath no adversary, but what doth this prove in respect of his argument which makes it more (then *equally commanded*) for he will yield that these services were but *temporary*, but swearing is *perpetual*, and so he hath given it a *priority* above the rest, his argument all along hath been chiefly drawn from the *Mostick Law*, that it was joyned equally with *fear* and *service* under the *Law*, and so hath striven without an adversary, but now it must needs be above the *service of God then*, and yet from the same *command* he would only *prove it*, for he hath no better strength nor ground, and we may as well alledge as he doth, and say consequently to this *sort of service* that was *commanded* by the *Lord* as well as *swearing*, for God hath joyned them together in the text above said, & obligeth *equality* at all times, as well under the Gospel as under the Law; yet then *A. S.* would call this absurd if it be so as it is indeed, then we may as well conclude the other absurd, because one is standing as well as the other, and binding as well as the other by the vertue of this command, although he tells us that an oath in its substance hath not any type at all, so we say, for the substance is Christ the oath of God, in whom all the promises and oaths are fulfilled, and this is its substance; but as under the Law it was a type of the substance, and not the substance it self, and that *Circumcision*, the Passeover, and the *legal Offrings* under the Law had as much *goodness in them* as *Oaths had*, what ever *A. S.* say: and *served* to as *good ends* and purposes in that *Ministration* as they were ordained, and conduced as much to the *glory of God*, and were subservient to, but not against the *morality* of the *Gospel*, for the shadows were not *against the substance*, nor the *Ceremonials* against the *Morals*, though the Apostle says, the *Law is not of faith*, yet

not *against it*, for as ministerial as the Ordinances of the Law was to the Gospel then, yet the Gospel may be and now is *without it*.

But to conclude this Argument *A. S.* were it so indeed that oaths were ceremonial, then it follows that Christ in this text did not forbid them, for he did not forbid the Ceremonial Law, but observed it all his life, eating the Passeover with his Disciples the night before his death, unless some would interpret his words (I command you that you do not swear) yet I am content for a year or two you may swear by *Heaven* or *Earth* as you have been accustomed, but after my Crucifixion and Resurrection swear no more, and there let these that disallow swearing as a part of the Ceremonial Law, argue no more the unlawfulness of swearing from these words, (*swear not at all.*)

Reply. Though Christ did observe the Ordinances of the Law, as being that Ministration appointed by God untill the time of Reformation and the bringing in of a better hope, *Heb.* 9. It became him to fulfill all Righteousness, so was he Circumcised, and eat the Passeover, and was *Baptized, washed the Disciples feet*, which were not enjoyned by the Law, (though not against it) and that Ministration not fully ended, though he see it must end, and spoke of a further thing, and of the time then, and also it should be ministred more afterward after his Resurrection, *Joh.* 4. 20, 21, 22, 23. the time cometh and *now is*, neither *at Jerusalem, nor this Mountain, but they that worship the Father shall worship him in spirit and truth*; so that he prophesied of the end of all those things, and of the cessation of them, which were sometime commanded, respecting both the *place and the worship*, and to them that did believe the *Disciples*, unto whom it was given to know the Mysteries of the Kingdom of God, (*then was the time*) to them it was come, even (then) before Christ suffred; and therefore *A. S.* his consequence is not true (that Christ did not forbid all swearing from this text) and though he had both prophesied of a clearer Ministration, and laid down in Doctrine a more Evangelical precept then the Law, yea and more strict obedience, yet notwithstanding many did still hold up these things, which the Law commanded, though they believed well of Christ, yea and after his suffrings and Resurrection, and that a long time, though that the Apostles told them the Substance was come, and that there was no more Offring for sin, nor Oblations, neither legal observations to be minded any

more,

more, yet still many observed them, and doubtless as to that *formal swearing* that was among the *Jewes*, and that vain swearing too many did continue in it afterward notwithstanding *Christs command*, but then not submitting, *made not his command void in it self*, and there is no necessity to make such an absurd interpretation as that he permitted them to swear for a *year or two*, by Heaven and Earth, and then at his passion to swear no more, for after he gave forth the command there was no permission, and yet afterward as I said the Apostles declared against the *shadows*, and *preached up the* substance, and as *A. S.* confesseth the types *ceased* of themselves, but let him know that there was a time of dying to them, and they *ceased not all at once* to them that had *observed the Law*, neither was the Mysteries revealed all at *once*, but as they grew in faith and *knowledge*, for the Righteousnes of God is revealed from faith to faith, and though the *legal observations* were observed in Christs time, so were they after, by many, but by *right ended* in the substance, and when he was come, though many did not see it till afterward: But I come to his 11*th.* Argument.

Eleventh Argument, no exposition of the text or any other is to be admitted, that puts inconsistancy betwixt the Old Testament and the New, seeing both are inspired by the same God, who is incapable of falshood or alteration; where upon if we be not so atheistical as to deny, the varasity or immutability of the most high, *Tit.* 1. 2. it must be granted that his word is of eternal truth, *Jam.* 1. 17. his promises yea and amen, his precepts more unalterable then the Lawes of the *Medes and Persians*, nor did our Saviour come to destroy but to fulfill the Law, thereupon he enjoynes obedience to the commands of the Pharisees, as sitting in *Moses* chair, *Mat.* 23. 2, 3. from all which it is apparent that the Old Testament is so far from being contradicted, that it is fully confirmed in the new; therefore I may well draw this conclusion that these words (swear not at all) ought not to be interpreted as to render all swearing unlawful, *Deut.* 6. 13. *Psal.* 63. 11. not without promise of reward, *Jer.* 12. 16. and it was prophesied before by *Isaiah* that Christians under the Gospel should swear, *Isaiah* 19. 18. and 4. and 23. and I look upon it as a piece of *Machiavilisme*, and extreamely derogatory both to the Scripture and God himself, therefore what moral duty one man was commanded of in the Law, another should be condemned in the new.

Reply,

Reply. 'Tis true no exposition of this text or any other is to be admitted that puts such a difference, betwixt the *old* and *new Testaments* in matter of substance, but shall agree with *Austin*: *the Law is the Gospel vailed, and the Gospel is the Law revealed*; and what was prophesied and typefied in the first is fulfilled in the latter, but what shall be thought of them, that holds up the *types and figures of the first*, as though they were not *fulfilled*, or as though the *promise* were not come: and he made manifest in whom all shadowes end; and though God be unchangable in himself, and incapable of falsehood or alteration, and I know none, who denies the *verasity* of his word, or the *immutability* of the most high: yet notwithstanding I cannot set up the *changable Priesthood, and Covenant*: and the *Ordinances* belonging *thereunto*; against the *unchangable and everlasting Priesthood and Covenant*, and as hath been said before, as though that all the precepts, therein were so unalterable, as that of necessity they must needs continue, as *obligatory* to generations, I might *trust* up together many Scriptures, and thwack them one on the back of another, which belongs to the *Jewes*, and the first Covenant most properly, (till the Seed Christ was revealed, and offred up) and I might bring in Scripture to prove that many things was commanded by the immutable *God*, and by him who is uncapable of alteration, and multiply many words, as *A. S.* doth to little purpose, and say what was written in the *Old Testament* was by the *inspiration* of God, and that his precepts is no more alterable then the Lawes of the *Medes* and *Persians*, and therefore they must needs still be *observed* by all Christians to the worlds end, or else conclude they that do not are *atheistical*, and denies Gods *verasity*, and makes the Law of *God* void; and what would all this in arguing prove, nothing at all; the *Jewes* will confess as much, and plead as hard as *A. S.* can, who yet have not believed in him, of whom the Prophets prophesied, neither hath received him who is the *substance* of what *Moses* and the *Prophets* bore witness, and in whom the *Law* is fulfilled, and the *Promises* made *good*, and confirmed with, and in whom all the *shadows* ends, and the vaile done away, and all the worship and precepts belonging thereunto: who hath manifested and revealed the Father in all that believe, who is the *new and living way*, whose worship is not now in the Letter, nor in the shadows, nor types, nor in any outward observations, but in Spirit and

and truth is he worshipped, for he seeketh such to worship him; for the great promise of reward was to, as ever was to swearing; yet when they resisted him *whom the Father had sent*, all their *observances* though never so strict did not avail; but their *Circumcision became Uncircumcision*, and their worship and service became *prophaneness*, when they dispised the substance by whom grace and truth came to all the Children of promise: and we grant with *A. S.* that he came not to destroy the Law but to fulfill it, and to end both *sin* and *transgression*, and the *Law* which was added because of it, and to bring in everlasting Righteousness, and it to rule in the hearts of all that believe; and against such there is no Law; and though Christ enjoyned the Disciples, *Mat.* 23. to observe what the Scribes and Pharisees had them who sat in *Moses* Chair and read the Law, and performed those services in part, commanded; that was the time before he was offered up, and the Ministration of that Covenant was not fully ended; yet I hope *A. S.* with us will grant that they were not to *heed them* or to *obey them* in their *vain Traditions* and false glosses, and *interpretations* and evil manners which he cryed wo against, *Mat.* 23. 13, 14. neither after his Resurrection did he enjoyne them to hear the *Pharisees*, neither to observe the Legal Ordinances of the first Priesthood, but they declared against them and *their practice*, which continued in the *observation* of those things *which did not make perfect as pertaining to the Conscience*, *Heb.* 8. 9. *Heb.* 9. 9. and for all these texts he alledges out of the Old Testament, *Mat.* 6. 13. *Psal.* 63. 11. *Jer.* 12. 16. unto these it hath been answered that this proves nothing that Christians under the second Covenant should swear as they did in the first, for these Precepts were only to keep them from Idolatry, for *Jer.* 12. 16. *If you will diligently learn the ways of my people to swear by my name (the Lord liveth) as they taught my people to swear by (Baal) then shall they be builded in the midst of the people:* And the 6. *of Deut.* 13. 14. is to the same effect, *You shall fear the Lord and serve him, and swear by my name:* And Verse the 14. *Ye shall not go after other Gods.* All these only prove that the Nations went after *other Gods and sware by them, and served them*, and *Israel* too prone to follow their manners did so also, and therefore he gave them these Precepts to *serve* him, and *fear* him, and acknowledge him, to keep them from Idolatry, as hath been said; in the state of their Minority and weakness, and

that before the ſeed was revealed; and that which *A. S.* calls a propheſie by *Iſa.* 19. 18. of *Chriſtians ſwearing* under the Goſpel, its no ſuch thing but a propheſie of *Ægipt*, his joyning to the *Jewes*, and owning their worſhip, and their God, and acknowledge him; *and do ſacrifice and oblation, yea and vow a vow unto the Lord and performe it, ver.* 21. Which clearly hath relation to the Law and the Worſhip of the *Jewes*, and not to the *Goſpel*; ſo that *A. S.* might have as well ſaid it was a *promiſe how Chriſtians under the Goſpel* ſhould *offer ſacrifice and oblations* as under the Law, as well as *ſwear*. But the Doctor hath traverſed many paths which are crooked, winding, and turning, to gather ſomething together, and hath fetched it farre to prove ſwearing under the Goſpel, but all his proofe falls ſhort of his matter by much: And that of *Iſaiah* the 5. 23. is a propheſie of *Iſraels* return out of the Captivity of *Babylon*, in the days of *Cyrus*, whom the *Lord called his anoynted, and ſhepherd*, Iſa. 44. 28. 45. who made a Decree for all *Iſrael* to go out of *Aſſyria* to *Jeruſalem* and build their *City*, and their *Temple* and *Worſhip their God* according as he had commanded; as may be ſeen at large in the Book of *Ezra* and *Nehemiah*, and this was fulfilled (then) when they builded the *City* and the *Temple in thoſe days*, (long before Chriſt was manifeſt in the fleſh) and then did *Iſrael* return, and every knee did bow, and every tongue did *ſwear* by the *Lord*, which before the Captivity had not *bowed*, nor *ſerved*, nor *acknowledged his Name*, but *Idols* which provoked the Lord, and therefore gave he them into the hand of the *Babylonians* for *ſeventy years* till they were humbled, and then brought them back according to *Jeremiah*, *Iſaiah*, *Haggai*, and *Zachariah*'s Propheſies, for this was fulfilled; then is ſpoken by *Iſaiah* in this Propheſie, *Iſaiah* 5. *ver.* 23, 24, 25. (without contradiction to Chriſts command) and his command entrencheth not upon this propheſie, neither doth this make the Goſpel thwart the Law, beyond all terms of reconciliation, as *A. S.* vainly ſuggeſts in his margent, for this propheſie was fulfilled long before Chriſt gave forth this command, ſwear not *at all*: Moreover, if this propheſie have any relation to the ſtate of the Chriſtian Church (as *A. S.* ſuppoſes, upon what ground I know not, ſaving his own affirmation) then we ſhall conſider and ſee how it is fulfilled under the *Goſpel*, and what the Goſpel allowes of in this particular; the Apoſtle *Paul* a Miniſter of the *Goſpel*, not of the Letter, as he ſaith himſelf,

himself, which some interprets to be the Law, citeth this prophesie of *Isa.* 45. 23. compare it with *Rom.* the 14. *ve.* 11. for it is written (where? in *Isaiah* before cited,) *As I live saith the Lord every knee shall bow unto me, and every tongue shall confess to God*; and in *Philippians the* 2. *v.* 10, 11. *that at the Name of Jesus whom the Father hath sent, whom all is to obey*, unto whom all power is given in *Heaven* and *Earth*; the Apostle citing again the very words of the Prophet says unto him (*viz.*) *Jesus, every knee shall bow*; and ver. the 11. *and that every tongue shall confess to the glory of God the Father*; so that it cannot be reasonably thought or judged that if God had required swearing by his name among Christians as among the *Jewes* that the Apostle thus should alter the words as to put confessing instead of swearing, seeing he says he used always plainness of speech, for this had not been plainness, and we have better reason to believe the Apostle, unto whom the Gospel was committed, whom the son was *revealed in*, who declared the whole *Council* of God, and yet never either *commanded* or *exhorted* any to *swear*, or reproved them for not *swearing* by the *name of God* (as the *Jewes* did) in all his writings that are extant, I say we have better ground to believe him and his rendering of the words of the *Prophet* to be according to the *mind of Christ*, where he puts in confession to the *Christians* (which before was *swearing* to the *Jewes*) as being acquainted with the command of Christ, *Mat.* 5. 23. *Swear not at all:*) and what ever *A. S.* look, upon it as to be *Heresie*, and derogatory both to the Scriptures and God himself, it is not much matter of Man's judgment, he might as well accuse *Christ* and the *Apostle*, the one forbidding *to swear*, and the other for *deminishing* from the Scripture, and *altering* the *Prophets words*; and though it seems strange to *A. S.* yet it is not to us that some Men was commanded in the Old Testament for observing some things, yea many things, which is condemned in the New, and yet God is not dishonoured, neither the Scripture broken; if we see the end of every command, and the time for which it served, and the service for which it served, as this about Oaths, hath been sufficiently declared before, to keep the *Jewes* from *Idolatry*, to *end strife* among them where it was; (but among true Christians, indeed) *strife* is *ended* and *peace* is *come*, and they seek it with all Men; and that is *done away* (for which the *Law was added*) to wit *sin and transgression, diffidence and unbelief, and strife*, and no

neceſſity of them among them; and all the morality that doth remain is confeſſion, or ſaying, or teſtimony in true words in any matter is that which is equivolent with an oath, and is that which is the moſt conforme to Chriſt and the Apoſtles Doctrine, under the Goſpel: but I come to his laſt Argument.

Twelfth and laſt Argument, The conſent of the Chriſtian world, the practice of *Emperours*, *Kings*, *Princes*, *Councils*, *Biſhops*, and people of all ſorts, confirme this truth that Chriſt notwithſtanding theſe words, (*Swear not at all*) had never forbidden ſwearing as altogether unlawful; 'Tis true, ſome of the Fathers in their Homilies, & to the People inveighed much againſt ſwearing, as though it had been altogether unlawful, but it was only againſt Cuſtomary Oaths; *Chryſoſtome* in his Homily to the People of *Antioch* preached ſo much againſt *Swearing* that the People was offended, he told them he would never leave that Sermon till they would leave that prophane cuſtome of *Swearing*; but the Fathers were leſs cautelous, but with great vehemency enveigh'd againſt common ſwearing in ordinary diſcourſe; but not at all intending to take away neceſſary Oaths; but *Origen* in his firſt Book againſt *Celſus*, God is witneſs of my Conſcience; and *Athanatius* yet vehemently declaimed againſt prophane ſwearing, yet in his Apology to the *Emperour Conſtantius*, he ſware again and again, the *Lord is witneſs*, and his *Chriſt is witneſs*: All which clearly ſhews they did not diſallow the voluntary taking an oath, much leſs in *Judical proceedings*, and the Reformed Churches, and the Church of *England*, and the whole Catholick Church in all times and places approved this Doctrine, that all ſwearing is not unlawful; ſo that it follows that the Church in all Ages was ſo ignorant as not to underſtand Chriſts meaning, or ſo wicked as to teach and practiſe quite contrary, or elſe Chriſt never meant to forbid all kind of ſwearing, (to aſſert the former) were to profeſs all that went before either dunces or devils.

Reply. What ever *A. S.* conclude and think he hath not ſuch a conſent among Chriſtians, as he makes a great flouriſh of; it's manifeſt by what hath been ſaid, Chriſt prohibited it *amongst his Diſciples*, *Swear not at all*; and likewiſe *James* the Apoſtle agrees in the ſame Doctrine, and the reſt of the Apoſtles, alſo all the *Primitive Chriſtians* were eſteemed ſo *ſtrict*, *exact*, & *cautious* of their *aſſerting*, or *promiſing*, that there was no need of an Oath among them, they

they kept up the *ſanctity, credit* of their *profeſſion*, yea among unbelievers, that it was ſecurity enough in all caſes to ſay, *Chriſtianus ſum*, I am a Chriſtian, as *Juſtin Martyr* aſſerts; and if they were urged any further to any oath, for matter or manner they repeated this as the only ſatisfaction they could give, there needed no more then the veracity of their bare record; and thus much Biſhop *Gauden* confeſſeth, and alſo in the 36. page of his Book he ſays, *the ground or foundation for ſwearing now is the wickedneſs and unbelief of men*; but Chriſtians (truly ſuch) are brought out of evil and wickedneſs, unbelief and diſtruſt, and there is no neceſſity among them either publick or private to ſwear at all: *Polibus* obſerves in the better, and ſimpler ages of the World, *Oaths were ſeldome uſed in Judicatures, but after unbelief and lying increaſed, Oaths increaſed*, as a only remedy to cure and reſtrain thoſe evils: (but let it not be ſaid that thoſe are Chriſtians) that names Chriſts name and departs not from iniquity, and ſince the perilous times came on that the Apoſtles ſpoke, that Men would not abide *ſound Doctrine* but be lovers of themſelves, that ſhould have a *forme* of *godlineſs and deny the power thereof*; ſuch went out of the truth, and went into the world, and the *world went after them*, and the falſe Church began to riſe to dignity, and have the name of Chriſtian, though ſhe conſented not to the *wholſome Doctrine of our Lord and Saviour Jeſus Chriſt, ſwear not at all*, but perverted this, as ſhe hath done many other Doctrines, and beguiled the *Kings of the Earth, and held out her golden cup of Fornication*, and made Emperours, Kings, and Princes drunk with her Fornication, *Rev.* 17. 18. Councils, Biſhops and People are in their Judgments, and by tradition one age after another have holden that lawful which Chriſt did not *prohibit*; but what doth all this prove, for it's manifeſt that moſt of the ancient Fathers of the Church, as *Origen, Chryſoſtome, Theophilact, Hillary, Athanaſius, Jerome, Theodoret, Laurentius*, and others in their Sermons and Homilies to the People, vehemently and frequently enveighed againſt all ſwearing without any *Limitation*, without any *reſerve* amongſt *Chriſtians* ſwearing as to private Converſation, yet they did not diſallow the voluntary taking an oath, much leſs in *Judicature he ſays*; but thoſe are but terms of his own ſhuffling in, and what he ſpeaks only of his own head, by mingling his own *words* with *theirs*, for his own ends, for there is no ſuch diſtinction made by

them, as he makes, as lawful *swearing* and prophane ſwearing, and *voluntary ſwearing*, and ſwearing in *Judicature*; and it's to be deſired that *A. S.* had but produced their teſtimonies, and have cited only their own words without adding to them, that they would have made much againſt him, for it's plain their judgment and witneſs was againſt all ſwearing what ever. But *A. S.* tell us, *Chryſoſtome* in his Homily to the People of *Antioch* preached ſo much againſt that prophane cuſtome of ſwearing, that the People were offended, and he told them that he would never leave that Sermon till they did leave ſwearing; It were to be deſired that more in this age who pretends to be Chriſtian Miniſters would follow his example, for the like I believe hath not been in any age; Oh what cuſtomary, vain, raſh, prophane, ungodly oaths (in their acceptation) take *Gods holy Name* upon every *trivial* occaſion in vain in their mouths, and daily inventing new oaths and execrations, even *daring God* to *confound them and damn them*; yea it grieves my heart to think, and the ſpirit of the Lord in me, to conſider what ſounded in my ears not long ſince, which I mention with *deteſtation* and *abhorrency*, that ſome when they had ſworn even all the cuſtomary oaths, and all the new invented oaths, did profer 10. *ſhill.* to any that could invent ten new oaths, even glorying in ſin, and making a mock at it; and indeed it is fearful to hear, how without any reverence unto God, or dread of his Majeſty, oaths (theſe late years) are broke out like a *land-flood* over all the banks, and no where ſo much to be found, nor no where ſo common as among them that reckons themſelves *conformable men*, (loyal) and *members of the Church of England*, which is one crying ſin that draws down the judgment of God upon this Land, and what credit can be given to ſuch Men in Judicature, ſhall we not ſay as St. *Auſtin* ſays, *It diſpoſes men to falſe ſwearing and groſs perjury, nor can indeed much credit be given any more then to a Lyar to any man that ſwears never ſo ſolemnly, and in Judicature, who is a common ſwearer:* But inſtead of beating down that for *which the Land mournes*, *Jer.* 23. 10. many are even *propagators of it*, and pleaders for it, and glories in it, and its become almoſt the only mark of a *conformable man:* Oh what a ſad time are we fallen into, and what a ſad ſtate that they that depart from this great *iniquity* are become a *prey*; I ſay it had been more time for *A. S.* to have uſed his utmoſt endeavours this way, rather then to have oppoſed Chriſt's

Christ's Doctrine, and added affliction to the *bonds* of *conscientious sufferers*, who dare neither *swear* nor *lie*.

But not to digress *A. S.* he would make the Fathers as he doth with Christ and the Apostles, he would make all *dance* after his *Pipe*, and make them all of his mind, and *construe* and *interpret* all their words to his end though never intended, and therefore he says they were not *cautelous* enough, and so doth with them as he doth with Christ, he makes their *words one thing*, and their *intentions another*; though saith he, *Origen* in his 25. Tract upon *Matth.* says that Christ did forbid all swearing, yet he himself swears in his Book against *Celsus*, for he said, *God is witness of my conscience*; and *Athanatius* though he declaimed against swearing, yet in his Apology to *Constantious* he swears again and again, and why he wrote as the Apostle did (the *Lord is witness*) and *Christ is witness*, and these must needs be oaths, and voluntary oaths; it's not probable that they should use voluntary oaths when they declaimed against all *Oaths*; and therefore *Origen* saith, *It behoves not a man who lives according to the Gospel to swear at all:* And *Jerome*, *the Gospel truth admits not of an Oath:* Likewise *Chrysostome* who was Bishop of *Constantinople* (in Commendations of whom much is said in the Ecclesiastical Histories, *Acts and Monuments*, *vol.* 21. *fol.* 70. 100) blames them greatly who brings forth a Book to swear upon, charging the Clerks that in no wise *they constraine any body to swear, whether they think a man swear true or false, saying it's a sin to swear well.* So that not only swearing upon a Book was reprehended, but even all swearing, such as *A. S.* calls lawful: *Theophilact* upon the place in controversie, *Learn hence that under the Law it was no evil for men to swear, but since the coming of Christ it is evil, as Circumcision, and in some what ever is Jewdeical:* to omit *Wickliffe*, *John Hus* and *Jerome* of *Prague*, who were faithful Men and righteous in their Generation, which the Reformed Churches is beholding to for their Testimony in other weighty things against the Church of *Rome*, though *A. S.* will not own them in this, but rather takes part with them who burned his Bones 41. years after his decease, and burnt his Books and these Articles condemned by the *Council* of *Constance*, who also burned *John Hus*, and *Jerome* of *Prague*, who maintained his Articles, *that all Oaths be made for any contract or evil bargain betwixt man and man be unlawful under the Gospel*; *and* Walter Bevite *whose testimony with many others was, that:*

that as the perfection of the Old Testament was not to forswear themselves, so the perfection of Christ was not to swear at all, because they are so commanded of Christ, whose commandement in no case must be broken: the Testimony of many worthy Men and godly *sufferers* at this time is suitable to many of the Fathers before mentioned; But this *A. S.* calls error; *who said so?* the *Church of Rome*, and the *Council* of *Constance*, with whom *A. S.* joynes rather then the sufferers of Christ, and they who hold it an error not to swear at all, and yet no error to break it when they have a mind, and dispense with it as the *Papists* doth to this very day, And these Fathers of the Church doubtless were the best of Men in that declining age, and were neither dunces nor devils, but understood by the signification of Gods spirit in them the Doctrine of Christ, (and that which was consentaneous thereunto) was witnessed by divers in after ages before mentioned, which *A. S.* would condemn as *Heretieks*, and why the Church of *Rome* had called them so, and them that sat at the sterne, who always called themselves *Orthodox*, and others *Heterodox* that did not sing to the same tune in swearing, and every thing else, when they had once got up into a *pompious lordly dominion over Mens faith:* but what doth this prove? nothing at all; and what doth this prove which *A. S.* inserts in his Marginal notes? that the Ministers who are inferiour in *Hungary*, and *Transilvania*, swear *Canonical obedience* to their *Bishops*, or the Church of *England*, or the Confessions of *Helvetia*, *Basil*, or others whom he calls reformed: what of all this? what doth this prove from the Scripture of truth, or as to the *convincement* of them who hold it unlawful to swear under the Gospel, because Christ hath *probibited it* by his Doctrine, what is all that *A. S.* hath said in his Arguments to dissenters satisfaction? who know hundreds of things wherein as much as they fall out and fight even to blood with each other about their *fancied formalities*, they all agree in against the *light* and *power* of *godliness*, and against the very *appearance* of the Image of him in his holiness, who is the *substantial truth* it self, we say what is all this to some, that dissents from *A. S.* his judgment, and others he calls reformed whose faith stands higher then the wisdom and thoughts of Men who cannot consent so as to lead their *faith* and *reason* captive after them to try this or any other truth, seeing it is the *gift* of God, and the *inspiration* of the Almighty gives understanding, & though

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the Church of *Rome* and you agree in this, though you dissent one another in other matters, what is this to us? it shewes only they erred from the Doctrine of Christ and his Apostles, and *you in this and many other things are not separated from them*; and thy conclusion which thou accords with is false, that though God in the Old Testament commanded it, yet it doth not follow that Christ in the new did not forbid it, (neither that Christ and his Apostles practised it) who were under another Covenant, and for ought can be perceived by *A. S.* by that he calls voluntary (swearing which he hath no ground for, though in other places he seem to condemn vain swearing and customary oaths, yet in this he looks not like himself, but seems to tollerate a kind of oaths we find no mention made of in the New Testament, and yet we shall not conclude as *A. S.* says, that all were so ignorant as not to understand Christ's mind, nor so wicked as to teach the quite contrary to his mind; for it is manifest many have been of the mind of Christ in former ages and latter, though we shall never strive to bring in all the world, or the *heathen*, or Nations, that became as *waters* after the publication of the Gospel, nor that *Rable* which he calls the Christian world, which hath wondered after the Beast, *Rev.* 13. 4. and yet there hath been still some Testimony borne through ages unto the Doctrine of Christ, and Christs Doctrine stands in force and in that latitude that he intended it, notwithstanding *A. S.* his Reasons and Arguments, and many more as to forbid all oaths in the second Covenant to his Disciples (truly such) *in these words, swear not at all*: Many instances might be brought of particular Bishops might be instanced, as *Otho* Bishop of *Bambergences* in *Germany*, and *Basilius* of *Chalcedon*, who refused to swear; and though *A. S.* cannot trace it beyond *Pelagius* or *Manacheus*, yet we know that both Christ and the Apostles confirmes it, and also the *Essæns* among the *Jewes* did refuse to swear at all, even in *Judicature*; for *Josephus* a *Jew* saith of them, whatsoever they say is as firme as an oath, and to *swear* among them was counted a thing *superfluous*: Likewise St. *Basil* commends *Chinus* a famous *Greek* that he suffered a fine of three Talents rather then he would save it by swearing, to the loss of his honour; and shall Christians (truly such) with whom truth abideth, and in whom it dwelleth, come short of that exactness that was among some

of the *Jewes*, and the best and the virtuousest of them called *Heathen*; shall not this kind of Christianity which is professed in this day, who is in *unbelief*, *frauds*, *infirmities*, *contentions*, be condemned by these? shall not this *circumcision* become *uncircumcision*? and shall not they that fear to swear and deny all oaths be set above this, whose *yea* is *yea*, and *nay*, *nay*, *in all their communication*, according unto Christs Doctrine? shall not this inherit the promise? and is not this more Gospel like, to say *speak*, *testifie*, and do the *truth*, rather then to go back to *Judaism*, or into *contention*, *strife*, *emulation* and *distrust* that the Swearers are in? (falsly reputed Christians) and yet abides not in his Doctrine? But having done with *A. S.* his negative part, I come to his affirmative part which is no other then hath been answered over and over again, yet he thinks he hath said more in clearing of it then others hath said, that Christ only forbad swearing by Creatures, and that indeed is the sum of his affirmative discourse, and the Pharisees interpretation. And he brings the judgments of divers Expositers upon this text, first promisary oaths are here principally forbidden; 2ly. others think that Christ only here forbad such oaths as then was used in common discourse; 3ly. others say that prophane, false and rash, and vain Oaths are generally here prohibited; 4ly. many understand that by these words of *Christ*, all swearing by Creatures is forbidden, but not that by *God himself*; and last of all *A. S.* gives his thoughts, which are as follows.

That Christ did not forbid what the Law had commanded, but only the Pharesaical corrupt glosses thereon, and the irreligious practices of the misinformed *Jewes*; and cites *Origen* and *Chrysostome*, who says upon this place they were accustomed to swear by Heaven, and by Creatures; and further *A. S.* says, the Pharisees taught them to affirme what ever they had promised, swearing *by God*, they under a spacious pretention that they would not take God's name in vain upon a sleight occasion, fell to swear *by Creatures*, which *Grotius* showes out *Philo Judeus*, which the Pharisees did not disallow, the easier thereby to delude such credulous people as believed those oaths which themselves neither thought obligatory, nor meant to keep, and it's certain the Scribes and Pharisees taught the people that to swear by several Creatures, as by the *Temple* and *Altar* was not binding; Christ reproves them as blind guides upon that account, *Mat.* 23. 16. and further they

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taught it was perjury indeed to break an *Oath* if a man had ſworn *by God*, but not if he had only ſworn by Creatures: In expoſition of which Chriſt forbids all ſwearing by Creatures, and teaches contrary to the *Jewes* Rabbies that ſuch oaths ought not to be taken, yet being taken are binding in reſpect of Creatures relation to the Creator, and Chriſt reckons them among ſinful oaths, and teacheth them to uſe only bare *affirmations* or *denials* in their communication, and this is the very ſumme of his judgment; and the words of Chriſt is only to be limited to this ſenſe and no further, this is not to ſwear at all by Creatures in their mutual converſe and communications; and this he hath repeated over and over in his Book, and this is the furthereſt latitude that he will allow unto Chriſt's prohibition, *ſwear not at all*; and this interpretation before mentioned he looks upon to be the genuine meaning thereof; and is the judgment of Doctor *Gauden* alſo, who hath contended as hard for ſome ſwearing as *A. S.* hath; and I perceive that *A. S.* hath read the anſwer to Biſhop *Gauden*, publiſhed by that precious ſervant of the Lord *Samuel Fiſher*, who finiſhed his Life in bonds for the Goſpel truth againſt *all ſwearing*, whoſe anſwer ſtands firme, and his demonſtrative arguments of force, and is yet unanſwered, though *A. S.* hath a little here and there carped at, and hath bitten at the heel, but hath not made void at all his anſwer, which will live as a living teſtimony in generations to come, as conſonant unto Chriſt's Doctrine, wherein he prohibites all oaths under the Goſpel.

Reply. Though there be ſome truth in the different Authors which is alledged, and alſo in *A S.* his words, that ſwearing by Creatures, as *heaven*, and *earth*, *Jeruſalem*, and *vain oaths*, is forbidden, and cuſtomary *oaths*, and the *corrupt gloſſes* of the *Phariſees*, and the falſe *interpretations*, yet all this comes ſhort of *Chriſt's mind*, and of the true *genuine ſenſe* of the words and the ſcope of *Chriſt's Sermon* as is manifeſt in the Chapter, and in his Teſtament, and all he hath ſaid will not help him to carry on that work he hath undertaken, (*viz.*) the Juſtification of any, or the lawfulneſs of any ſwearing, or the defence of that limited ſenſe, he would put upon the univerſal terms in the 2. texts wherein Chriſt and the Apoſtle forbids all ſwearing: And though *A. S.* often tells us Chriſt did not forbid what the *Law* had commanded, neither gave any *new poſſitive Law* before his death; he ſure hath forgot

himself much; what will become of the two great Ordinances still upheld, as *Baptisme*, and breaking of *Bread*? and whether was this a new Institution of Christ, or was it an Institution in the *Law*? and if it was an Institution of Christ (as the Church of *England* doth hold) and not of the Law, nor of *Moses*, (as indeed it was not) then *A.S.* his argument is fallen to the ground, that he gave no new commandment, neither instituted any new ordinance? and then what is become of these two great Mysteries as they have been called? but he hath ravelled out and spun out his threed so long, that he often runs off his legs; and though *A.S.* do often urge that he came not to destroy the Law, but to fulfill it; and therefore hath said falsly that Christ sware before the High Priest after he had given forth this Commandment, swear not at all, which if it had been true it had been no more president for Christians then eating the Passeover; and though he sometimes urge that such oaths as were commanded under the Law are not forbidden by that text, *Mat.* 5. 38. because it was spoken sometime before his death, and the Ministration of the first Covenant was not ended till his death; and therefore he concludes that all oaths would not be forbidden by Christ in this text, for saith he Christ did not forbid what the Law commanded; but though this prohibition was given out *before his death*, yet with reference *to the Gospel times after his death*: It is evident by the texts before it and behind it, (*viz.*) of divorce and of deportment towards injurious ones and enemies, so in this of oaths Christ prohibites and condemnes not only those gross abuses of those things that they had a dispensation for under the Law, and that by divine indulgency, which abuses crept in by the Pharisaical false glosses, too much loosing the meaning of Gods Law by *Moses* by their depraved examples or popular customes; but Christ *condemned and prohibited those very things*, which in regard of the hardness of their hearts, distrust and wicked cruelties, *God himself in that very Letter of the Law indulged them* in, and gave them both a *dispensation*, and a precept for, *in the Law*; for the Law said of *old time*, before the false gloss of the Scribes and Pharisees came in some things; so *as it was not said from the beginning*, when Man was in innocency, and was mercyful as his Heavenly Father was mercyful, and the Law said, *Deut.* 24. 12. *whosoever shall put away his wife let him give her a bill of divorcement, and then she may go*

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and be another mans wife, but I say who so putting away his wife causeth her to commit adultery; and whosoever shall marry her that is divorced committeth adultery, Mat. 5. 32. So that not only the *corrupt glosses* and irregular *practices* of the misinformed *Jewes* is forbidden; but even that which the *Law not only permitted and allowed, and dispensed with, but commanded, is forbidden*; (and another thing injoyned) and in cause of injury as he hath done, so shall it be done unto him: ye have heard it hath been said *an eye for an eye, and a tooth for a tooth, this was the Law*, Exo. 21. 44. Levit. 24. 20. Deut. 19. 20. and this was commanded: *But Christ saith, I say unto you that ye resist not evil, whosoever shall smite thee on the one cheek turn the other also, and if a man sue thee at law and take away thy coat, let him have thy cloak also, and whosoever shall compell thee to go a mile go with him twain*, Mat. 5. 39, 40, 41. So here is not only a further thing, but even *another thing commanded* by Christ. Further, the Law said, *Exod.* 20. 14. thou shalt not *commit adultery*; but Christ the wisdom of God saith, *Mat.* 5. 28. *whosoever looketh upon a Woman and lusteth after her hath committed adultery with her in his heart*, again *ye have heard that it hath been said that thou love thy neighbour and hate thy enemy*, though *A. S.* say that is not found in the Law, but a corrupt glos of the Pharisees; I say that is found which *amounts to* as much, as hath been shewed: for the *Jewes* that was of the Law, might and did spoyle their enemies, the *Gentiles* and *Canaanites*, *Egiptians* and *Amalekites*, *and had a command so to doe, & kill them, & root them out*, and yet to help his enemies Oxe or Asse under a burthen, if he were belonging to a *Jew* that *personally* hated him, and not an *Amalekite* one of the *cursed race*; but this is a ridle to many; *But I say unto you love your enemies, bless them that curse you, do good to them that hate you, and pray for them that despitefully use you and persecute you, Mat.* 5. 44. and the Apostle exhorted, give no offence to *Jew* or *Greek*, so that his Doctrine went *beyond the Law, put up, pass by, forgive, forbear*; again you have heard it hath been said of old time (where) *Exod.* 20. 7. *Deut.* 5. 11. *Numb.* 30. 2. *Mat.* 5. 33. thou shalt not forswear thy self, but shalt perform unto the Lord thine oathes, but I say unto you *Sweat not at all, neither by Heaven for it is Gods Throne, nor by the Earth for it is his Foot-stoole, neither by* Jerusalem *for it is the City of the great King, neither shalt thou swear by thy head, because thou canst not make one hair*

white or black, but let your communication be yea, yea, and nay, nay, for whatsoever is more then these cometh of evil: Its most evident that Christ prohibits *somewhat more here* then was forbiden under the Law, yea what ever *Oathes* were lawful under the *Law*, therefore it must be *all swearing* at all, or else *none at all:* either all such swearing as was used lawfully, and allowed as a Type for a time, in the Law, Oathes made *lawfully and acceptably to God*, or else *nothing more at all then what was forbiden in the Law:* for all *false swearing and forswearing, and all swearing by Creatures, or breaking of solemn Oathes*, made as unto God, was forbiden in and *by the Law*: therefore swearing it self is forbiden or nothing, but saith *A. S.* the grand objection falls of it self, which is either all kind of swearing is forbiden, or else Christ forbids nothing, which was not forbiden before, *which is utterly improbable saith he*, and he grants that God had formerly prohibited all false and vain Oaths, and all swearing by Creatures saith he, which I grant to be true, then how is the grand objection fallen, for is not *Heaven, Earth, Jerusalem, the head Creatures:* and this is the most that *A. S.* and divers others affirms, that it is only *Oaths by Creatures*, such as before mentioned that Christ *only prohibits*, and vain Oaths, and swearing by Creatures: *A. S.* sayes Christ reckons among sinful Oaths; then if so, as *they are indeed*, had not the *Law* forbiden this before; in general tearms wherein *all Creatures are included?* therefore the reason stands still in force, and the objection, that either Christ *forbad all swearing*, or else he forbids *nothing but what the Law had forbiden before:* Its manifest it stands still in force, for Christ forbad even those *Oathes* the *Law required*, and all vain swearing and swearing by Creatures, and all swearing *whatsoever*, *Mat.* 5. *Ye have heard it hath been said by them of old time*, not of *late* by the *Scribes* and *Pharisees*, only puting their false glosses on the Law, as *A. S.* intimates *Pareus* and others, in his Annotations, and hence conjectures, that by them of *old time* is only meant, the *Scribes and Pharisees*, and not *Moses* and the *Law*, and of old time must be meant (a good while ago) or not very long, as Commentators understand it, less then (twenty years) and thus he twists and twines to make the true sense of *Christs words void:* its evident by them of old time, is *Moses* time, the place before cited, *Numb.* 30. 2. is the place *Christ alludes to*, you have heard it said thou shalt not forswear thy selfe.: so saith the Law in for-

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ty places, but performe unto the Lord thine Oathes; *But I say unto you swear not at all*; no not by *any oath at all*, note the opposition in the particle [but] which is between the *old lawful legal swearing*, and no swearing at all, not between no swearing, and such *prophane swearing*, as was unlawfull *under the Law*: the whole summe is this, the Law said *break no oaths*, but I say *take none*; for if Christ intend no more in these phrases (*swear not at all*) not by *any* oath then thus, *swear not vainly, prophanely, ordinary, or by Creatures* in your *communication, forswear not your selves*, what forbids he more then the Law forbad? for Heaven and Earth, Jerusalem *A. S.* says, Christ reckons among sinful *oaths*; and these are Creatures, and swearing by Creatures was forbidden by the *Law*, I grant quoth *A. S.* then this reason stands still good, *he either forbad all oaths*, or he forbad no more then the *Law forbad*; and though it be granted that the *Jewes* swore by the Creatures, as the *Temple, Altar, Jerusalem*, and therefore Christ prohibits them, and reproves them for these things, and likewise all swearing whatsoever; what doth *A. S.* gain by this? for it's evident in divers passages of his Sermon in the 5*th. Chap.* of *Mat.* that he teaches a righteousnes which exceeds that of the *Law*, as I have shewed before, which he came to fulfill and not to destroy, by taking away the *ceremony of Swearing*, and establishing the substance in its stead, which is *speaking the truth*, as in the sight of God in uprightnes of heart, yea we say again what saith he more to his Disciples else? then the *Scribes* and *Pharisees* to theirs? they said, *swear not falsly, prophanely*, but by *God, only swear not falsly*: For Bishop *Gaudin* cites for his Author *Drusius*, among the *Jewes* all thing in *Judicials* were confirmed by the Religion of an oath, wherein the *name of God was interposed*, therefore Christ says more unto his Disciples in expres terms, swear no oath at all, otherwise how would their Righteousnes exceed that of the Scribes and Pharisees, which except it did, they could in no case enter into the Kingdom of God; the *perfection* and *Righteousnes of the Law* therefore in this point of *Swearing* was not forswearing: the *perfection* and *Righteousnes* of the *Gospel*, in the same *is not swearing at all*, so though the *Gospel* be not against the Law, yet the *Gospel* exceeds the *Law* in every point; the Law said kill not, the *Gospel* be not *angry*; the Law *commit not adultery*, the Gospel, *look not on a woman*, lust not; so in all the

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prohibitions of Christ; the Commandements of Christ went beyond the Law, also in this of swearing: yet it did not if now there be any swearing at all among Christians and Disciples of Christ, yet we shall also with *A. S.* agree that Christ not only forbad all swearing (even that commanded by the Law, sometime lawful) but he also forbids and reproves, and condemnes swearing by Creatures, and vain swearing in all communication, and their perverting of the Law, and too much loosing it by traditions, and making it void by their false glosses, and counts them blind guides which said to swear by the *Temple*, by the *Altar*, by *Heaven*, was nothing, he pronounced a woe against them, and concluded they were bound to keep those oaths, though they ought not to have sworn them: for as much as he that swears by the lesser swears also by the greater; as he that swears by Heaven swears by the throne of God, and him that sits thereon; *Mat.* 23. 16, 17, 18, 19, 20, 21, 22. We confess with *A. S.* this was but a *sinful prophane creature swearing, an irregular forme of swearing*; by the name of God the *Jewes* indulged themselves in: but what doth *A. S.* gain by this? it's evident enough that solemn oaths *by God himself*, as those familiar oaths by Creatures, in which they tacitely sware *by God are forbidden* by Christ, *but I say unto you sware not at all.*

But *A. S.* tells us as *Grotius* tells him out of *Philo Judeos*, that the *Pharisees* taught them to performe what ever they had promised swearing by God, they under a spacious pretence that they would not take God's name in vain upon *sleight occasions* fell to *swear by Creatures*, which the Pharisees did not disallow to cheat people withal, which they themselves neither thought obligatory, nor meant to keep: The name *Elohim* and *Jehovah* they might possibly scruple at, but that name *Adonai* they oft, as superstitiously, repeat in their much babling as they superstitiously decline mentioning of the other, but that in serious cases of concerne of *justice* and *equity*, and in *judicature* in matter of debate, or *ending of controversies*, that they should wave and forbear swearing by the *name of God*, when their Scriptures was so expres for it, and that they should *chuse* that way of swearing, there is no reason at all to believe it, seeing *Drusius* says, *among the Jewes all things in judicature were confirmed by oath, wherein the name of God was interposed* as above mentioned. 2ly. That they should wave swearing by the name of God in matters of concernment, which they all believed

believed were binding, and should swear by Creatures in order to the giving *satisfaction* to one another, and *security* of each other, and by such oaths as they judged not to be *obligatory*, and never meant to keep them, seeing *A. S.* says it was in pretence of reverence to God, they swear not by God but by Creatures, to cheat and never *meant to keep*, they knowing this that he *that so* sware by Creatures *meant not to keep but to cheat and not performe*; such oaths were not very probably used in Judicature among them, neither in serious *cases*, for such *oaths* instead of giving satisfaction and putting an end unto jealousies and distrusts would have sure created them more then before; for as much as he that so swears believes himself not to be bound thereby, then if he had not sworn at all, and he unto whom he swears also knows the same that such oaths (as *A. S.* tells on that they did swear) is not binding, neither can any more credit be given to them then to a lyar, because in this sort of swearing there was *no security*; it is not probable I say, that they should chuse this in Judicature or any serious case of Controversie: And if it be that Swearing that Christ only prohibits by Heaven, Earth, and Creatures, which the Pharisees indulged them in, wherein (as to the point of swearing) *does he prescribe a Righteousness and perfection above or beyond Moses* his servant whom he was to exceed; for God by *Moses* in the *Law* it self had universally forbidden all other oaths, either in *general terms*, or sometime *more particularly*; but still all *false oaths*, *vain oaths*, and *oaths* by *Creatures* are *included*, save only *solemn swearing* by his own Name that there was no more swearing left for Christ to forbid his Disciples, but *swearing* by *God* himself, which the Law allowed of.

Besides moreover, the opposition then which lies intimated in that particle [But] being not between *false swearing* and *prophane swearing*, and swearing by Creatures as *A. S.* would have it, but between *forswearing then*, and no *swearing now*, shew *Christs intent* to be to prohibit all swearing; for it is indeed as if he had thus said, God under the Law commanded you to *swear by his Name*, & when you had *sworn in truth by him* to perform the *oaths* ye made *by him*, whether to him or *any other*; but I say *now* God *allowes you not to swear at all*, nor by heaven, earth, or *any other*, no not those *oaths* which ye did, and might make of old unto the *Lord your God* in things *lawful*; but no *oath* by a Creature did God account as an

oath made to him, provided ye performed it when ye had done any more then he counted their solemn Fastings to be to him, *Zachariah* 7. 5.

Again, Christ's own expressions in the affirmative part shewes his meaning in the *negative* to be a prohibition of all swearing as well as any, *but let your Communication be yea, yea, nay, nay*, so the Negative of his words *swear not at all*, must be understood in such an *universal* exclusive *latitude as admits of no oath* whatsoever among his Disciples; and as hath been said that particle [But] which stands between those two prohibitions of *Moses* saying, *forswear not but performe to God thine oaths*; and of Christ saying [But] *I say unto you swear not at all*, doth manifest it that Christ forbids all *swearing as much as any*; even such swearing as was not indulged to them by the *Pharisees* only but by *Moses* and God himself, who by his servant dispensed with them in, and instituted even their *swearing by God's own name*, who never indulged or dispensed with any of that Creature swearing as *A. S.* speaks of, but threatned woes to it under the Law, and by the Law again, if it be said Christ only prohibited all such *voluntary oaths*, which they sware to performe to *the Lord* by any Creature as *heaven, earth*, in their Communication and mutual converse, as *A. S.* says, but not solemn oaths *by God* in Courts or before Magistrates, and not between man and man, and matter of deliberation as some other say, and have interpreted the words, *let not your whole Conversation be interwoven with oaths.*

Reply. Christ does indeed forbid all such *voluntary oaths* as was used by the *Jewes* and *Pharisees*, and all swearing by any thing besides God or below God, also all swearing in common Communication, and ordinary Conversation where *yea* and *nay* should serve, yea and that which is called *solemn* and by some sacred and lawful *even by God*, even all swearing, by God *commonly, frequently*, or *generally*, which is now in Courts and imposed by Justices, Magistrates, than which, nothing almost is more ordinary frequent and common; if our communication and conversation should be without swearing, and our mutual converse one with another among Men should be without oaths of any kind whatsoever; is not this exclusive of swearing in Courts and before Magistrates as well as other men, whether in Courts and Consistories as well as other places, where Men have their conversation and their mutual converse

converſe with each other, as ordinarily & commonly as elſewhere, which being conſidered I have with other often muſed why ſome Men have been ſo inconſiderate as to interpret *Chriſts* words and *prohibition* as exclusive, of Mens ſwearing in their ordinary converſe in Courts, where oaths are as ordinary, frequent and common, as in any places whatſoever, eſpecially that ſome men plead ſo much for oaths in *Courts* and before *Magiſtrates* only; (as though they were *ſacred* and *ſolemn* there and no *where elſe*, and *holy*, and *lawful only there*) and yet can bring no better proof under the *Goſpel* for them, nor of them right to impoſe them upon Chriſtians more then others? among the many falſe inſtances they bring of *Paul, ſwearing frequently* to the *Churches* in his Letters; and ſuch pittiful proof as *A. S.* offers of Chriſt being charged by the High Prieſt as he ſays to ſwear, though he ſwore, for I deny that; (*I adjure thee*,) proves not that Chriſt ſwore it being not his but anothers charge upon him; and it's ſilly to think that Chriſt who ſaid, ſwear not at all, no not by heaven, for it's God's *throne*, which who ſo ſwears by, *Mat.* 18. ſwears *by God that ſits thereon*; that he ſhould ſwear by the *Living God*, he was the Chriſt, at the command or charge of the *High Prieſt*, who was his inferiour, (though he had been a better Prieſt then he was) as being but the *type* of himſelf; but indeed there was no ſuch matter as *A. S* and others have affirmed, for when the high Prieſt barely asked him only whether he was the *Chriſt* or not? he anſwered I am: Beſides the Law was not in the ſhadow of it fully ended, although Chriſt had inſtituted divers things among his Diſciples which was not in the Law, and yet not againſt it, but all theſe inſtances that many oppoſers with *A. S.* hath brought of the Apoſtles and Chriſt ſwearing, are but ſhrouds and ſhelters they make for themſelves, becauſe they have a mind to obey the commands of Men rather then *Chriſts Doctrine*, for avoiding of perſecution and ſuffering, and therefore would make all things they take in hand look like their own Image: But having diſcourſed of this before I come to *A. S.* his laſt part of his Diſcourſe, and his interpretation upon *Mat.* 5. and *James* 5.

In his 41. Section he ſays, If any ſtill urges the univerſality of the expreſſion, (*ſwear not at all*,) and that of *Jam.* 5. 12 (above all things my brethren, ſwear not neither by heaven, nor by earth, neither any other oath) to the firſt he ſays, its plain that they that

thus argue break off our Saviours sentence in the midle, and suffers him not to come to his period, for he saith not, *swear not at all*, there fixing a point, but *swear not at all, neither by heaven, nor by earth, &c.* and for that of *James* must of necessity be understood, with restriction; quotes *Austin* upon the Text, it cannot be that swearing is *worse* then *forswearing*, theft, adultery, murther, these are hainous crimes, *nulla autem culpa est verum jurare*; but if no sin to swear the truth, why then above all things swear not; not that swearing is so great an offence as many others, but least we contract a habit thereof, then probably by rash oaths we shall offend God by false swearing, which is no more then *in an especial manner, forbear forswearing*, and any other oath must be restrained in a *limited* sense, for there is not meant any oaths what ever, but such as the Apostle speaks of, neither by *heaven*, by *earth*, nor any other oath, that is any oath taken by other *creatures*, for so must they be understood, unless we interpret his words to make them contradict Gods, and set the *servant* in a manifest opposition to his Master.

Reply. We who are of a contrary judgment to *A.S.* do still urge the universality of the Text, *Mat.* 5. 33, 34, *&c.* and we shall not break off the sentence of Christ in the midle; swear not at all &c. but shall render it as it is, neither was it ever intended otherwise, but for brevities sake, because the innumeration of *Heaven* and *Earth, &c.* are only *inclusive* in the prohibition, and we shall speak on, and what Christ hath joyned we shall not separate: but read the words as they are, *Ye have heard it hath been said of old time, thou shalt not forswear thy self, but shalt performe unto the Lord thine Oaths, but I say unto you swear not at all, neither by Heaven, for it is Gods Throne; neither by the Earth, it's his Foot-stoole; neither by Jerusalem, for it's the City of the great King; neither shalt thou swear by thy head, because thou cannot make one hair white or black: But let your communication be yea, yea, nay, nay, whatsoever is more then these cometh of evil; James* 5. & 12. *But above all things my Bretheren, swear not, neither by Heaven, neither by Earth, neither by any other Oath; but let your yea be yea, and your nay, nay, least you fall into condemnation:* In which two Texts we say (in the affirmative) all manner of swearing is forbiden, for the truth of which many reasons have been and may be given.

First, Because all manner of swearing is here expressly instanced

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in these two *disjunctive clauses*, which are expressly *conclusive*, and consequently (*because spoken by way of prohibition*) *exclusive*, *exceptive* of all swearing, that can be thought on, swear not, swear not at all, saves the Texts, yea that none may imagine, as *A. S.* would make Men do, that this general *Rule admits* of any *exception*: but all know the prohibition is so strickt, as to allow, of no *permission* in the point to swear, by any thing but *God*, he addes *neither by Heaven, neither by Earth, neither by Jerusalem, neither by thy head*; and these are only more ample expressions, of that *prohibition*, and are not exclusive or disjunctive, from the *prohibition*, but *conclusive* of the *prohibition* of all swearing whatever.

But least any should think he forbids only, and no more then extravagant *Oaths* of such as *swear* by *Creatures*, as *Earth*, *Jerusalem* the *head*, and such like, when as whosoever swore lawfully under the Law, was to swear by none but *God himself*, but that there be no root at all for any reasoning, for swearing against the flat prohibition of it; *James* 5. he concludes and shuts up all in these *universal tearmes*, and excludes all Oaths, and all possible pretence of plea, at all; also for any swearing, adding neither by *any other oath*, what words more plain words can be uttered, or can be *more expressly exclusive*, both of all kinds or sorts of swearing, and of all *sorts* of *particular Oaths* of *every kind*, and by Heaven, and by Earth, and Jerusalem, are so far from signifying that those *Oaths* by *Creatures* are only the *Oaths* that *Christ prohibits*, that they are but only *innumerations* and *amplifications*; of the *former part of the prohibition*, *swear not at all*: which we grant was spoken to reprove the Pharisees and the Jews practise about [illegible] and swearing.

And why must those words (of *James* 5.) needs be understood with restriction, (above all things swear not neither by Heaven, neither by Earth, &c.) why *St. Austin* scruples at the first words, *Quare ante omnia jurare &c. quam furari, &c. quàm adulterare, &c. quàm hominem occidere*, it cannot be that swearing is worse, and forswearing, then *adultery*, *theft*, *murther*, we do not say it is, but if it be not; or that be not, the reason why he says, *above all things swear not*, because swearing is a sin above all sins, can no other reason then that be rendered? yes, yet we shall agree with *Austin*, and *A. S.* too; if their judgment be one thus far, that it was not fit to swear the Truth when called into it under the Law: Why then above all things swear not, not that

swearing is so great an offence as *Murther* or *Adultery*, but least we contract a habit thereof; and then possibly by rash Oaths we should offend God, which is no more saith he, then in especial manner forbear swearing, and *any other Oath*, saith *A. S*, must be restrained in a limited sense, for there is not meant *any Oath whatever*, but such as the Apostle speaks of, by *Heaven*, by *Earth*, *&c.* though there be some truth in what is said; yet its too short to answer the Apostles end and scope, and the reason falls short that is rendered; but the main reason is, (they were *Jewes* unto whom he wrote, the twelve Tribes *scattered*) whom we deny not, but were run into that custome of vain swearing by Creatures, as Heaven, Earth, Jerusalem, head and Temple, &c. but that is not all, though we grant it is some reason; but they being Jews, who might under the *Law swear serious or solemn Oaths*, and were not so fully informed of the *end of the Law in Christ*: under which among them some *Oaths* were lawful; they were apt to think, they did as well in *swearing*, so now as they did before; so though *Adultery* and *Murther* may be as *bad* and *worse* then *Swearing*; yet the Law being so expresly against them, which yet in *its time allowed some kind of swearing* in some *Cases* (it was more hard to bring them of from some *Ceremonious services of the Law* that were *once lawful*, as is evident long after Christs ascention, the Apostles had much to do with them about the Rites of the Law, as Circumcision, *and times, and dayes, and new Moones, &c.* then from such sins as were known and hated by them, and held accursed, by the very *letter of the Law*; and therefore he says,) above all things my bretheren swear not; that they might not only take hold of all vain swearing, and swearing by Creatures, that was ever unlawful; but if that they might know *that now* to be unlawful which in former times was accounted lawful for them: And so its ordinary to say to Men, *above all things* take heed of that to which they have been long accustomed, and with which (through heedlesness of the *unlawfulness* of the thing,) they are apt most easily to be overtaken.

Again, It is by *Solomon*, who spoke by the eternal wisedome of God, and in it to fear an *Oath* is made the character of a righteous Man that sacrificeth acceptably to God (to swear, (at all) is more the character of a *wicked and unclean sinner*, *Eccles. 9. 2.* for how be it Men shall once return, and discern, the *happiness* of him

him that ſerves God, from him who ſerves him not, yet he is *one even to the righteous and the wicked, to the good and to the clean, and to the unclean to him that ſacrificeth and him that ſacrificeth not, as is the good ſo is the ſinner, as he that ſweareth ſo he that fears an oath*, and ſo as above all things *ſwear not*, is to be taken not only of thoſe *oaths* which were *ever unlawful* by *heaven* and *earth*, but even of thoſe that ſometime were lawful *under the Law*, in the type which now when the ſubſtance the *oath of God* is come, and the *Covenant of Light* given to all Nations, *Iſa.* 5. 5. *Luk.* 1. 72, 73. who ends all, not only vain oaths, but all oaths, and is the ſubſtance of all, even to the ſubſequent, neither *by any other oath* is not only to be taken of ſuch oaths neither by *heaven*, *neither by earth*, which were ever unlawful; but even of thoſe ſom-time lawful, even all ſwearing and all oaths; and the *ſervant* is not in oppoſition *to his Maſter*, but knew the mind of his *maſter Chriſt*, and therefore taught like Doctrine and the ſame: but what ever *Chriſt* or *James* had ſaid *A. S.* would make them, if he could to mean as he means, to ſet their plain expreſs words againſt their mind. But ſo much hath been ſaid by many others who fear the Lord and an oath too, and ſo many demonſtrative and weighty things have been offered to the Conſciences and publick view of all, which *A. S.* I perceive hath ſeen ſome of them, though he come not ſo much as near as to anſwer them, but only aſſerts his *own*, being a work it ſeems he was put upon by others to plead for ſwearing; ſo that ſomething he muſt ſay on that behalf, and draw that way, and to make all things look towards that end, and to concur together (to juſtifie them) and the lawfulneſs of oaths under the Goſpel, and their work who perſecutes the ſervants of Chriſt for abiding in his Doctrine, who ſpeaks the truth and dare *not lie* nor *ſwear at all*; I ſay I ſhall be the more brief becauſe I know many things is extant by others, and of weight which hath not yet been anſwered, nor is by *A. S.* though here and there a little in his Annotations he carps ſometime upon ſmall ground, although he hath aſſerted nothing but that which hath been anſwered over and over again: But I draw on to his laſt refuge and plea, his anſwer to both the Texts *Conjunctim*.

That theſe Propoſitions, ſays *A. S.* (how univerſally ſoever expreſt) ought not in equity to be extended beyond the intention of the Apoſtles, but be limited according to the ſubject matter,

ſwear,

swear not at all (says Christ) *neither by heaven, nor by earth, &c. that is, I universally forbid you all those vaths which you were wont to use frequently to wicked purposes*; and further he says all vain and false oaths by God, even by the acknowledgement of the Pharisees were sufficiently forbidden before, so there was no need either for *Christ* or *James* to speak of them again, other places of Scripture must of necessity be thus interpreted, 1 *Cor.* 10. 23. *Matthew* 15. *Luke* 2. 1. *Mat.* 12. *Luke* 8. 47. how universally soever exposed must be restrained according to the mind of the speaker, and so must these words *swear not at all.*

Reply. It's freely granted that these two Texts ought not to be extended beyond the intention of the speakers, but be limited according to the subject matter, as for *general terms and universal prohibitions*, admitting of *exception* they do so, we grant now and then they do, and *of restrictions*, but when they do these *exceptions* and *restrictions* are usually in one place or other of the same *Testament*, where they are made, or at least most manifestly amplified by him that gave out these general prohibitions, & so are most of these generals and restrictions that *A. S.* hath instanced, 1 *Cor.* 10. 23. all *things are lawful for me*, to eat that which was sold at the shambles was *lawful*, but that which was *sacrificed to Idols*, *v.* 12. there he mentions the *restriction* himself, and so *Luke* 1. 3. *It seemed good to me also, having perfect understanding of all things from the very first*, the subject matter whereof he writes & the things are expresst, and the exceptions, in the 2. Chapter, and in *Mat.* 12. 31. *All manner of sin and blasphemy shall be forgiven unto Men, but the blasphemy against the holy Ghost shall not be forgiven*, there in the same Verse Christ makes the *exception* and *restriction*, and *Exodus* 20. 10. Thou shalt do no manner of work, its abundantly expressed else where in the Law; where the Priests service on every Sabbath are appointed them, and the *exception* of dressing what every one was to eat, and was expressed, and the *exception* of doing good, and of works of mercy, in saving the life of Man or beast was to take place ever against the *Typical Sabbath* (*I will have mercy and not sacrifice*) and that of *Luke* 8. 47. and the Woman that was healed by touching the border of Christs garment, *she declared unto him before all the people*; what saith *A. S.* before all the people of the World, or before all the people of the *Land?* no there is none so ignorant as to understand it, for *Mark* 5. 21. manifest the exception before

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all the people, only that were with him nigh *unto the Sea*; when he returned from the Country of the *Gadarens*, or before all the people of his own City that came out to meet him, *Mat.* 9. 8. *Mat.* 8. 34. many more I might add to what *A. S.* hath instanced, that Christ uttered many truths in general terms which must admit of exception, *Luk.* 13. 10. *all the sinners* Christ spoke to about him, in the *general terms*, ye shall *perish*, but this was not without exception of such as should *repent*; but that exception was not without expression, *viz.* except ye repent, again he said unto his hearers, *ye cannot enter the Kingdom of God*; that was not without exceptions, nor these *exceptions* without *expressions*, viz. *except ye be converted*; yea in the verses immediately before, *this universal prohibition swear not at all*, *Mat.* 5. 30, 31. Christ says, *'twas said of old, if any put away his wife let him give her a bill of divorce; but I say whosoever shall put away his wife causeth her to commit adultery*: But this admits of an exception, and that exception is thus expressed, *viz. saving for the cause of Fornication*; but though all this be granted, even these and many more universal terms admits of exceptions and restriction, yet we cannot grant that these two texts admits of any such exceptions or restrictions as *A. S.* would interpret them. My reason is this, because in this *general term and universal prohibition*, swear not at all, it cannot in equity be taken and limited in that sense which *A. S.* puts upon it, nor with that restriction, for that sense would make it short of the subject matter where all *swearing is forbidden* as well as any, because swear not at all by heaven, earth, &c.

Because there is not only no *expression* made any where (after) of any such *exception* or *restriction*, but a fuller *amplification* of it, by such particulars as is enumerated, and are more particularly *exclusive of all kinds of oaths*, and of all oaths of any kind, not only of those that they used to wicked purposes, but even those they solemnly used sometime to good purposes before the seed Christ was revealed, and the Apostle *James* 5. 12. *neither by heaven, neither by earth, neither by any other oath*; which is a re-inforcement and redoubling of the said universal prohibition; whereas if Christ had intended *any exception* here, he might as easily have expressed, and would as assuredly as he did *imedially* above, in the cause of *divorce*, by (*except in the cause of fornication*,) and have so said, *swear not at*

all, except it be solemn and sacred Oathes, and by the Lord to good purposes in *Courts* where ye are call'd to swear before a *Magistrate*; so *James* if he had intended as *A. S.* will needs in force yet without any ground, a limitation and restriction, *above all things my brethren swear not, neither by heaven, neither by earth, neither by any other oath*, except ye swear solemnly *by God* to good purposes, in *Courts*, or before *Magistrates*; but as I said instead of excepting any *exception*, he adds that which more strengthens and clears beyond all *exception*, the *universality* of his *prohibition*; and if all vain oaths by God were forbidden before, and all swearing by Creatures, so that there was no need either for *Christ* or *James* to speak of them again, as *A. S.* says; then this is still matter for the argument on our part, that some oaths were *prohibited* by *Christ* and *James* which were not prohibited before, and of which there was necessity for them to speak, as there was indeed, not only about those *Oaths* and other things which the Law before had prohibited, but even of those things that it had allowed and indulged, because of the hardness of their hearts, so we say there was a necessity of *Christ* and *James* not only to mention those things again which the Law had spoken of before, and disallowed which we have instanced before, and is manifest in that *Chap.* 5. which the Pharisees had perverted and loosened by their false glosses and traditions; but even those things which were permitted, indulged and commanded under the Law, and suffered to be, because of the hardness of their hearts, and strifes, unbeliefes, insecurities; and therefore Christ teacheth and informeth his Disciples, as it was in the beginning before those things entered, and in this cause about oaths amongst the rest prohibites *all swearing* without *limitation*, not only that which was once forbidden, but even that which was once *permitted* and commanded, and *indulged*; and therefore it hath been said of *old time* thou shalt not forswear thy self *under the Law*, (where in) *Numb.* 30. 2. *Deut.* 23. 21. But I say unto you, swear not at all, neither by heaven, nor earth, nor Jerusalem, no thy head, which is manifestly an *exclusive* prohibition of all oaths, without *exception* or *restriction*, or *limitation*, and still will stand good (notwithstanding all *A. S.* and others opposing) among his Disciples and true Christians, in whose hearts he hath put it to speak the truth, and confess in any cause wherein they

they are concerned to the glory of God the Father, and to keep the commands of his Christ, and to glory him by abiding in his Doctrine, *swear not at all.*

And then *A. S.* concludes here the grand Objection falls of it self which is either all kinds of *swearing* is forbidden, or else Christ notwithstanding his words, *(but I say unto you)* forbad nothing which was forbidden before, which is utterly improbable, and the reason is saith he, because God formerly had forbidden all false and vain *oaths*, and all swearing by *Creatures*, all which I grant to be true saith he; but the Pharisees had taught the people otherwise by their wicked glosses, that made the Commandement of small effect by their Tradition, and the practise of that Nation was widely distant from the Commandement, both which were necessarily to be reformed, which our Saviour did in these words, *But I say unto you swear not at all.*

Reply. Who ever denyed but that the Pharisees were blind guides, and that they laboured to make void the Law, *and made the commands of God of small effect by their Traditions*; or that the practise of that Nation was not widely distant from the Commandement, and that they swore by false Gods sometime, and vainly by the *true God*, and *took his Name in vain*; and swore also by *Heaven* and *Earth*, and *Jerusalem*, like as many do now; all this we grant, that they were out of the way both in *oaths* and other things; also that Christ reproved in the fifth of *Matthew*, and elsewhere, which Christ reformed and reproved their Doctrine and manners: I say again how is the grand Objection fallen by this that either all kind of swearing is forbidden here by Christ, or else Christ forbad nothing which was not forbidden before, which is utterly improbable saith *A. S.* but it is more probable then any thing that *A. S.* hath yet offered; for if only by *Heaven*, *Earth*, *Jerusalem*, *Head*, *Temple* and *Altar*, by that which Christ forbad that the Pharisees taught the people they might swear by; these were forbidden before *inclusive* in false *swearing* or swearing by Creatures though not expressed, or *enumerated nominally*, yet included among the sinful and vain oaths *under the Law*, and so were forbidden before, and saith *A. S.* I grant that all vain oaths and perjury, and all swearing by Creatures were formerly forbidden, and if so as indeed they were, what more did he forbid then was

forbidden, if the words must only be understood of those sinful and vain oaths by Creatures above mentioned, that the Pharisees indulged the people in, and taught as *A. S.* would only limit his prohibition and exception I shall leave to the Conscience of every enlightened man to judge, and say that in these words it hath been said of old time thou shalt not forswear, but pay thy vows unto the Lord; but I say (who am come *to restore man again* into that estate he fell from by transgression, and to redeem him that believes out of strife and contention, and idolatry, to have fellowship with the Father) *Swear not at all*, neither by *heaven* nor *earth*, nor any *other oath*, that as hath been said before here is a *prohibition* of all vain oaths and false oaths, and perjury, and all oaths by Creatures, and all the vain traditions of Scribes and Pharisees about oaths, and somewhat more, even a prohibition of those *Oaths* to his Disciples, which the *Law allowed* after sin had entered, for which cause the Law was added, and Oaths added, but *Christ ends* it, (not by *destroying it*) but by fulfilling it, and hath set up that which is more Evangelical, *truth* it self, in which there is no shadow of change, and it is *binding* upon the *souls* of all true *Christians*, and that by which they are *bound* one to another, and every word, promise, or testimony that go out of their hearts and mouths, they by it are bound to keep, least they fall into condemnation, *but their yea is yea, and nay is nay*; and whatsoever is more then this cometh of evil, and therefore they do not, cannot, nor dare not go beyond this or that which doth but amount to as much, and there needs no more among true Christians.

Now as to them, who are in the contention and strife and unbelief and oathes, works of the flesh, as variance, discord, whom the Law *hath power over* and is against, as long as they live in such estate, its granted that the Law was added because of these transgressions, and is against such; and how far swearing can be binding among evil, contentious, unconscionable Men, that make no conscience of any thing, who cannot believe one another, nor give credit to one another without swearing, experience hath manifested whether they judge one another to be believed better by swearing then without swearing, thats little to us, neither shall we meddle in contentious matters, nor have to do with striving Men, as little as possible: but rather suffer wrong, then wrong our consciences by swearing, which we are perswaded by Christ

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we ought not to right our selves, as hitherto we have done and have peace, blessed be God in our hearts, however, we could rejoice and be glad to see all Men be at peace, and agree, and its our desire to live in that love, and we shall seek it with Men, and to be at peace as much as in us lyes, even in that love that works no evil, nor *thinks no evil, but believeth all things, and heareth all things*, and so carries beyond strife and oaths, but if they will not be without Oathes in *Courts* and Judicatures, we are cleer in the matter, if they exact upon us, and do as they have done, to the undoing, & ruining of many in this World, we must be content, knowing it better to suffer wrong, then do it, and shall acquiesce and rest in the will of God, till he plead our cause, and open the hearts of Men to see through the Clouds of error and ignorance that is over their consciences.

Yet how ever this I must needs say, this frequent, common, prophane swearing, that hath exalted its Horn, more of late years, is one of the crying sins of *England*, that Gods anger is against, and will draw down his judgment, and kindle the indignation which hangs over this Nation, not only, because of those that command Men to swear, contrary to Christs command: (and that for to establish cruelty and injustice) but also that swore falsly and vainly, and that against their knowledge, for their own profit, and the disadvantages of others; to accomplish their wicked, malicious and revengeful designes, against the innocent, who dare not swear at all, and thereby are made a pray to the teeth of Wolves, and to the wills of corrupt Men, who take occasion (as it were) *to plow long Furrowes upon the backs of the poor and needy, for which things sake the wrath of God will be poured out upon the head of the wicked, and the Nation shall be on heaps, and the wise Men shall be turned backwards, and their Table shall be a snare, and the curse shall be upon the rebellious, and they shall fall and be broken, and rise no more:* and this may justly befall this Nation, because of Oaths, and because of Oppression.

And oh much pittied Nation, it may be said of thee truly as the Prophet *Hosea* 4. 2,3. (*Because of swearing, and lying, and killing, and stealing, and whoring, they break out, and blood toucheth blood, therefore shall the Land mourn, and every one that dwells therein shall be cut off*) Oh what sad times do we behold, nothing but extreames of evil are presented to our eyes and eares, some

do little but swear *ordinarily*, *commonly and vainly*, in all kind of communication and conversation, not only in their *usual outer courses in Courts*, with *Judges* and *Magistrates*, but in their homely discourses also with other Men, in *Cities*, *Townes*, *Princes*, and *great Mens Courts*, *and places*, *Universities*, *Colledges*, almost all *Houses*, at least all *Talvernes* and *Ale-houses*, and in the open *Streets* and *Assemblies*, almost every where, are full of dreadful Oathes, and Mens discourses interwoven with execrable and direful Oaths, even as it were daring God to *confound them* and *damn them*, and such like, and though there be divers Laws against swearing vainly and forswearing, yet these are not looked at, but how should we expect that they should look at the execution of the Laws of Men which are good, who heeds not the Law of God; and are so buzzed now a days, with over-executing those intangling Laws that are extant for *Oaths*, and *forswearing*, to *intrap* and *insnare* poor innocent men, who dare not *swear at all*, but keep the *Commands of Christ*; so that there is no leisure lost to look after those most *wholsome* and *profitable Laws* of both God and the King, which are against *vain Oaths*, and *forswearing*, which the Land abounds with, the like hath not been in any age, which is a sad presage of the judgment of God to be at hand.

And last of all, *A. S.* he says hath done, and he fears it's more and time to have done with the Exposition of those words, and so comes to application, and so he speaks to all in general; who at that time or any other may be legally called to take their oaths, which you have heard vindicated to be lawfull, notwithstanding the seeming opposition of these words, *Swear not at all*; but those must be understood of necessary Oaths, and your Righteousness is to exceed the Scribes and Pharisees, but they condemned *perjury* in the verse immediately before my text, and your warrant for swearing is in *Jer.* 4. 2. which thence appears not only *lawful* but in some cases *necessary*.

Reply. It's more then time indeed to have done, to pervert Christ's plain Doctrine with his imaginary Exposition, and what he counts (legally called) seeing Christ prohibited it is not of much force, neither will *A. S.* Vindication stand against the real opposition of Christs words, *Swear not at all*; but his seeming Vindication (will in the day of the Lord when the secrets of all hearts shall

be

be manifeſt by Jeſus Chriſt, when the book of Conſcience ſhall be opened) will be found to be in real oppoſition unto Chriſt, and his reward will be according to his workes, who hath by his work ſtrengthen'd the hand of evil doers and perſecutors, to the adding affliction to affliction upon the Righteous; and if the words muſt be underſtood of neceſſary Oaths, then there is none neceſſary among *Chriſts* true Diſciples, who commanded, let your yea be yea, or your nay, nay, for whatſoever is more comes of evil, and whether the Scribes and Phariſees condemned a perjury or not, we are ſure the Law did, which Chriſts words hath reference to, *It hath been ſaid of old time thou ſhalt not forſwear thy ſelf*; and if the Righteouſneſs of Chriſts Diſciples be to exceed the Righteouſneſs of the *Scribes* and *Phariſees*, and they *condemned perjury*, and all *falſe ſwearing by God*, and the *Law condemned all falſe oaths, and vain oaths*, and Oathes by *Creatures*, as *A. S.* hath granted; then the Righteouſneſs of the Diſciples is to be another, then the Righteouſneſs (of the *Law*) which condemned all perjury and vain Oaths; then what is it, but not to *ſwear at all any Oath?* but ſpeak the *truth*, and *confeſs it to the glory of God* in *yea* and *nay*; and this is that which exceeds the *Scribes* and *Phariſees*, and is only *lawful* and *neceſſary* under the Goſpel; and as for *Jer.* 4. 2. this is pittiful proofe and warrant for Chriſtians to ſwear under the Goſpel, for that was only ſpoken to *Iſrael* or *Judah*, who were under the firſt Covenant, and yet were revolted from the ordinances thereof, and were *back-ſliders*, as is to be ſeen, *Jer.* 3. 22. and hath not reference to the ſecond Covenant: But I ſhall come towards an end as well as *A. S.* and conclude and refer all (*what both he and I hath ſaid*) to the judgment of the Lord, and the meaſure of Gods holy Spirit in all Mens Conſciences, to be received or denyed by that as he and his witneſs bears evidence, ſo ſhall the matter ſtand eternally.

Yet I cannot but mind the Reader, though *A. S.* hath had, as appeares, certain Books of the *Diſſenters*, in which are weighty things, about this particular of ſwearing; which he hath not anſwered at all, as to their Arguments, only carped here and there at a word, which is not of great moment; but though he may plead ſome reaſon, that it was not poſſible, to anſwer all things in ſo ſhort a Diſcourſe, as a Sermon, wherein he was limited as to time,

time, yet since he had, I perceive, by his Annotations, time enough to have answered them, having their Books extant by him, but hath not, in the most weighty Considerations, therefore I refer the Reader to them, for his further satisfaction, *viz.* to the Answer of Bishop *Gauden*, by that faithful Servant of God, *Sam. Fisher*, where this point is largely discussed, likewise his *Antedote* against Swearing, in Answer to *Henry Den*, and *Jeremiah Ives*, likewise a Book published by *Isaac Pennington*, Titled, *The great Question concerning the Lawfulness or unlawfulness of Swearing under the Gospel stated, and considered of*; wherein are weighty things declared in short; 1st. what an Oath is; 2d. the ground and occasion of an Oath; 3d. the causes wherein an Oath was to be used; 4ly. the end of an Oath; 5ly. the suitableness of its nature to the end aimed at by it; 6ly. the persons to whom the use of an Oath was proper and lawful,

Wherein also is clearly shown the state of man kind from the Creation, comprised in four heads or particulars: (First, *The State of Innocency*) (*when there was no Oath*) Secondly, *An estate of Captivity*, wherein an Oath was proper and lawful: Thirdly, *The estate of shadowy Redemption*, wherein it was lawful also: Fourthly, *An estate of true and perfect Redemption*, wherein, its neither needful nor lawful, seeing its prohibited by Christ, all which *A. S.* hath passed over, and hath not answered.

Likewise a Book published by *John Crook*, Titled, *The Case of Swearing* (at all) *discussed with*; and several objections answered: These things *A. S.* hath not answered, I only instance them, for the Readers further satisfaction, if unsatisfied in what hath been said already; all which great and weighty things, are worthy of the serious consideration of all.

Likewise a Book, Titled, (*Swearing denyed in the new Covenant*) by *Morgan Watkins*.

When all that hath been said, is duly considered and weighed in the Righteous ballance of Gods holy Spirit, they will not think it strange that some denies to *swear at all*, but rather wonder that such a vaile of darkness should be so long over the minds and hearts of them that believe not, notwithstanding so clear evidence from Christ and his Apostles, or the example of the Primitive Christians or holy Martyrs, who spoke the truth, but denyed to *swear at all*; but that custome and tradition is often more minded then the very truth it self.

Oh

Oh that the Rulers of this Nation would once consider and weigh what they are doing, and how many and great the suffering of a conscientious people that fears the Lord in their hearts are, who dare not disobey the commands of Christ, least they fall into condemnation, and come under the rebuke of the Lord in their hearts, who hath power alone to kill and to make alive, but rather chuseth to suffer the loss of all, and undergo the manifold sufferings that some *malicious Spirits* causeth to be inflicted upon them; when indeed there is no *cause at all*; while prophane persons swears, and forswears, and takes Gods holy Name in vain, and makes little conscience of any thing, but sometime for, and sometime against, whatsoever seems countenanced or discountenanced by the Magistrates; so that neither the *King* nor *Kingdom* is in any more *security* notwithstanding all such swearing, how *solemn* soever they seem in *swearing*, neither any more credit to be given in Judicature, then there is to be given to him that is a common Swearer in his private occasions, or common communication; and oh how doth the Land abound in this, in so much that he that is not a curser or a swearer is looked upon as a *Phanatick*, or some *disobedient person*, or *unconformable man*, which ought especially to be *eyed* for a *dangerous person*: Oh that the Heads and Rulers of the People would but consider how near the Judgment of God is, and how ready to break forth upon the Nation, and not without *cause*, even great evils are begun, *Pestilence* and *Sword* already threatned, and *Gods arrows flying abroad* to wound and to destroy them that continue in hardness of heart and rebellion against God, and will not suffer him to rule and reign in the Consciences and Kingdoms of Men, but vain men would set up their *Threshold* with his, and not only so, but against his, and great is the wickedness and the sins of this Nation upon many accounts, which the Lord will bring a scourge upon, especially that greivous sin of Persecution, that *Cain-like way*, which the Generations hath chosen to add as they ignorantly suppose unto their *Church*, and so builds up their *Zion* with *cruelty*, and their *Church* by *iniquity*: Oh this is loathsome in the sight of God; had *Zimri* peace who slew his *Master*? had *Israel* peace when she slew the *Prophets*? had the *Jewes* peace when they had Crucified *Christ*? had the *Romans* peace when they persecuted the first *Christians*? had *Cain* peace

when he had slain his brother? If nay, let not *England* expect peace, when they are persecuting them that are members of *Christs* Church, so that this grievous sin (if *England* had no more) were enough to bring the dreadful Judgment of God upon the whole Land, and undoubtedly will, if not repented of; but now it must not be counted so; and why? because there are some *Statutes* and Lawes which they obey not, and so it's for *disobedience*; consider, did not all the former pretend one *Law or other*, did not all that ever *suffered*, even the *best of men* and the *best of Christians* suffer as *disobedient*, and as offenders against some Law or other, (and *as evil doers*) in the account of them, that inflicted punishments upon them; if so, as it is certain they did, may not *England* be deceived, while that they are thinking they do *God* and the *King* service to root out and destroy some, under the notion of *Heresie*, and some under the notion of *disobedience*, and *factions*, may they not be *persecuting Christ in his members*, or destroying the peaceable members of their *Native Country*; the Lord open all their eyes and do away the darkness and the vaile of ignorance that is over many hearts, that they may turn to the Lord and submit unto his eternal and unchangable power, that so they may escape the day of the Lord which is at hand, and the Judgment of God that is ready to break forth as an overflowing scourge to cut off and sweep away in his displeasure even all them that would not have Christ to rule in their hearts, neither have his Lawes fulfilled nor obeyed, which he writeth in the hearts of all true Believers, unto whom all must bow and be subject, because the *Father hath committed all power into his hand, and his glory he will not give to another*; no, to none but him whom he hath given for a Covenant of Light and life, to be *King*, *Law-giver*, *Saviour*, and *Judge* of his People, *and to be the head of the body, his Church*, whom he redeemes out of the world to himself, to glorifie him, who is the only Potentate and King of Immortal Glory, God blessed for ever and ever, *Amen*.

THE END.

Faults Escaped the Press.

Page 8. line 3. for *waken* read *weaken*. p. 41. l. 9. for *Polligume* r. *Polygamie*. l. 14. for *Polligume* r. *Polygamie*. p. 42. l. 6. for *Polligume* r. *Polygamie*. p. 42 l. 37. for *persuming* r. *presuming*. p. 45. l. 30. for *Festures* r. *Gestures*. p. 50. l. 4. for *revailed* r. *revealed*. p. 55. l. 27. for *are* r. *erre*. p. 57. l. 38. for *evil* r. *civill*. l. 39 for *bruite* r. *brute*. p. 59. l. 32. for *Essaus* r. *Essæans*. p. 63. l. 1. for *putting* r. *putteth*.